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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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Arizona Corporation Commission

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AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION
OF ICG TELECOM GROUP, INC. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE COMPETITIVE
FACILITIES-BASED AND RESOLD
INTRASTATE TELECOMMUNICATIONS
SERVICES IN ARIZONA

Docket No. T-03566A-99-0743

ICG TELECOM GROUP, INC.'S
MOTION TO EXTEND
CONTINUANCE

ICG Telecom Group, Inc. ("ICG"), by its attorneys, hereby moves the Presiding Administrative Law Judge to issue a Procedural Order extending the continuance of the procedural schedule established in this docket (including the hearing date), as set forth below. In support hereof, ICG states as follows:

- On December 23, 1999, ICG Telecom Group, Inc. ("Applicant" or "ICG") submitted to Docket Control of the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide competitive facilities-based and resold intrastate telecommunications services in Arizona.
- On May 24, 2000 and July 5, 2000, ICG filed Amendments to its application.
- On June 22, 2000, ICG filed Affidavits of Publication indicating compliance with the Commission's notice requirements.

4. On August 23, 2000, the Commission's Utilities Division Staff ("Staff") filed a Staff Report.

5. On October 10, 2000, ICG filed a Motion to Continue. ICG's Motion to Continue requested continuance of all deadlines, filings and hearing dates in this docket.

6. On October 19, 2000, Staff filed a Response to ICG's Motion to Continue and indicated therein that it did not oppose ICG's Motion.

7. On October 20, 2000, the Presiding Administrative Law Judge issued a Procedural Order granting ICG's Motion to Continue. The October 20, 2000 Procedural Order issued by the Presiding Administrative Law Judge also (a) continued all filing deadlines and hearing dates from the September 22, 2000 Procedural Order indefinitely, until further notice, and (b) required that ICG file with the Commission by January 19, 2001 an update concerning the status of its application, including its readiness for a scheduled hearing date.

8. In accordance with the Presiding Administrative Law Judge's October 20, 2000 Procedural Order, on January 19, 2001, ICG filed a Motion to Extend Continuance in which it provided the Commission with an update concerning the status of its application and its readiness for a scheduled hearing date, and moved to extend its previously granted continuance. ICG's Motion to Extend Continuance requested continuance of all deadlines, filings and hearing dates in this docket.

9. On January 25, 2001, the Presiding Administrative Law Judge issued a Procedural Order granting ICG's Motion to Extend Continuance. The January 25, 2001 Procedural Order issued by the Presiding Administrative Law Judge also (a) extended the continuance concerning all filing deadlines and hearing dates from the September 22, 2000 Procedural Order indefinitely, until further notice, and (b) required that ICG file with the Commission by April 27, 2001 an update concerning the status of its application, including its readiness for a scheduled hearing date.

10. In accordance with the Presiding Administrative Law Judge's January 25, 2001 Procedural Order, ICG hereby provides an update concerning the status of its application and its readiness for a scheduled hearing date. In its Motion to Extend Continuance, ICG had indicated that it did not intend to operate in the State of Arizona until, at the earliest, late-2001. It now appears under ICG's current business plan that the more realistic estimate for ICG's entry into the Arizona local exchange market is mid-2001. Accordingly, it is not necessary that ICG obtain a CC&N at this time.

11. ICG requests that the Presiding Administrative Law Judge issue a Procedural Order extending the continuance of all deadlines, filings and hearings scheduled in this docket until such time as ICG formally requests that a procedural schedule be reinstated. ICG believes that it is reasonable for the Presiding Administrative Law Judge to require that ICG provide another update concerning the status of its application, including its readiness for a scheduled hearing date by November 30, 2001. ICG also believes that it is reasonable for the Presiding Administrative Law Judge to require that when ICG requests reinstatement of a procedural schedule, ICG submit a proposed procedural schedule that

recommends a hearing date not less than ninety (90) days therefrom, and that ICG be required to update the information in its application if necessary.

12. ICG has consulted with Ms. Tina Wolf, the Commission staff person assigned to the application, regarding its desire to extend its previously-granted continuance. Ms. Wolf indicated that staff would not oppose such an extension.

13. In the event that the Presiding Administrative Law Judge grants this Motion to Extend Continuance, ICG hereby waives the deadline set forth in A.A.C. R14-2-1103.5.

Wherefore, for all of the foregoing reasons, ICG requests that the continuance of the Procedural Schedule in this docket be extended as set forth herein.

RESPECTFULLY SUBMITTED this 12th day of April, 2001.

ICG TELECOM GROUP, INC.



By: _____

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