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ARIZONA CORPORATION COMMISSION
UTILITIES DIVISION
1200 W. WASHINGTON STREET
PHOENIX, AZ 85007

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Letter of Non-Compliance

September 24, 2003

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission
DOCKETED

OCT 03 2003

Mr. Jeffrey Smith
Eight 9 Line, L.L.C.
159 S. Lincoln, Suite 221
Spokane, Washington 99201

RE: DOCKET NO. T-04056A-01-0819 DECISION NO. 65103

DOCKETED BY 

Dear Mr. Smith:

This notice will inform you that Eight 9 Line, L.L.C. has not met certain compliance requirements ordered by the Commission in the above-referenced Decision. In that Decision, the Commission conditioned approval of the application on Eight 9 Line, L.L.C. filing certain documents with the Commission within a specific time period as described on the attached Compliance Delinquencies Report.

As a result of this non-compliance, the Certificate of Convenience and Necessity did not issue to Eight 9 Line, L.L.C. and is void. If Eight 9 Line, L.L.C. intends to provide service in the future within Arizona, it must either file a new application for a certificate of convenience and necessity or obtain an extension of time to comply from the Commission. If you are requesting an extension of time to comply, your request must be received by the Commission no later than thirty (30) days from the date of this notice. Your request should set forth the reasons why you did not comply with the Commission's Decision and why you should be granted an extension. The Commission will consider your request and issue an Order either granting or denying your request for extension. Address your request for an extension of time to comply to: Docket Control, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007. Reference in your request the Docket Number and Decision Number for this matter.

If you believe this to be in error, or, if I can answer any questions, please contact me at 602-542-0818.

Sincerely,

Handwritten signature of Brian Bozzo in black ink.

Brian Bozzo
Manager, Compliance and Enforcement
Utilities Division

cc: Docket Control, with fifteen copies

Compliance Delinquencies Report

Report Date: September 24, 200

COMPANY: Eight 9 Line, L.L.C.
DOCKET NO. T-04056A-01-0819
DECISION NO. 65103 **DECISION DATE:** 8/22/2002

COMPLIANCE ACTION: Certificate is conditioned on Company filing conforming tariffs with the Commission in accordance with the Commission's Decision within 365 days from the effective date of the Commission's Decision, or 30 days prior to providing service, whichever comes first. If the Company fails to meet this timeframe, then the Certificate conditionally granted shall become null and void without further Order of the Commission.

COMPLIANCE DUE DATE 8/22/2003 **OR,**
30 days prior to providing service, whichever comes first.

COMPLIANCE ACTION: Certificate is conditioned on Company filing proof of a performance bond for \$10,000 the earlier of 365 days of the effective date of the Commission's Decision, or 30 days prior to the commencement of service. The bond must remain in effect until further Order of the Commission. If the Company fails to meet this timeframe, then the Certificate conditionally granted shall become null and void without further Order of the Commission.

COMPLIANCE DUE DATE 8/22/2003 **OR,**
30 days prior to providing service, whichever comes first.
