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ORIGINAL

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BEFORE THE ARIZONA CORPORATION COMMISSION

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3 WILLIAM A. MUNDELL
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COMMISSIONER

Arizona Corporation Commission

DOCKETED

OCT 22 2002

2002 OCT 22 P 4: 28

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

6
7 IN THE MATTER OF THE APPLICATION
8 OF XSPEDIUS MANAGEMENT CO. OF
9 PIMA COUNTY, L.L.C. FOR A
10 CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE INTRASTATE
TELECOMMUNICATIONS SERVICES

Docket No. T-04112A-02-0451

NOTICE OF FILING BOND

11
12 Pursuant to Decision No. 65124, Xspedius Management Co. of Pima County, LLC
13 hereby files proof of its performance bond (a copy of which is attached to this notice).
14

15 RESPECTFULLY SUBMITTED October 22, 2002.

16 XSPEDIUS MANAGEMENT CO. OF PIMA
17 COUNTY, LLC

18
19 By

20 Michael W. Patten
21 ROSHKA HEYMAN & DEWULF, PLC
22 One Arizona Center
23 400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004
(602) 256-6100

24 Brad Mutschelknaus
25 Enrico C. Soriano
26 Leila M. Baheri
27 KELLEY DRYE & WARREN LLP
1200 19th Street, N.W., Fifth Floor
Washington, D.C. 20036
(202) 955-9866

ROSHKA HEYMAN & DEWULF, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

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ORIGINAL + 10 COPIES of the foregoing
filed October 22, 2002, with:

Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, Arizona 85007

COPY of the foregoing hand-delivered
October 22, 2002, to:

Pat Williams
Compliance – Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, Arizona 8500



Bond No. 45040014

UTILITY BOND

KNOW ALL MEN BY THESE PRESENTS, That we, Xspedius Management Co. of Pima County, LLC as Principal, and Greenwich Insurance Company a California corporation, authorized to do business in the State of Arizona, as Surety are held and firmly bound unto the Arizona Corporation Commission in the amount of Two Hundred Thirty Five Thousand and no/100 Dollars (\$235,000.00), lawful money of the United States of America for the payment of which the Principal and Surety are hereby jointly and severally bound.

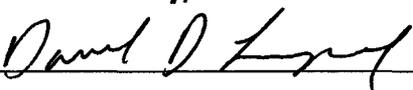
NOW, THEREFORE, if the said Principal, or any assigns of his fails to provide competitive retail telecommunications services so furnished, the said Surety will pay the same to the users of the Principal with the consent of the Arizona Corporation Commission as Trustee, an amount not exceeding the sum hereinabove specified, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

PROVIDED FURTHER, that regardless of the number of years this bond shall continue in force and of the number of premiums which shall be payable or paid, the Surety shall not be liable thereunder for a larger amount, in the aggregate, than the amount of the bond.

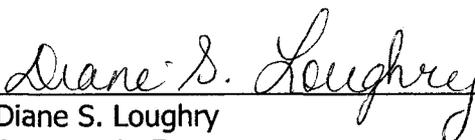
PROVIDED FURTHER, that should the Surety so elect, this bond may be cancelled by the Surety as to subsequent liability by giving thirty (30) days notice in writing by certified mail to Obligee.

Signed, dated and sealed this 18th day of September, 2002.

**Xspedius Management Co.
of Pima County, LLC**



Greenwich Insurance Company


Diane S. Loughry
Attorney-in-Fact

**All correspondence and claims in regard
to this bond should be sent to:**

Greenwich Insurance Company
One Exchange Place-Suite 501
Jersey City, NJ 07302

POWER OF ATTORNEY

Know all Men by these Presents: that GREENWICH INSURANCE COMPANY, a California corporation (the "Corporation"), with offices at 70 Seaview Avenue, Stamford, Connecticut, 06902, has made, constituted and appointed, and by these presents, does make, constitute and appoint

Joseph G. Delaney, B. Patricia Blair, Diane S. Loughry, Ronal D. Tucker

its true and lawful Attorney(s)-in-Fact, at Columbia in the State of Maryland and each of them to have full power to act without the other or others, to make, execute and deliver on its behalf, as surety or co-surety; bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Corporation for any portion of the penal sum thereof in excess of the sum of

Five Million Dollars (\$ 5,000,000)

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Corporation as fully and to the same extent as if signed by the President of the Corporation under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the Board of Directors of the Corporation at a meeting duly called and held on the 5th day of April, 2000, a copy of which appears below under the heading entitled "Certificate."

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the Board of Directors of the Corporation by Unanimous Written Consent on September 18, 1997 and said resolution has not since been revoked, amended or repealed:

RESOLVED that in granting powers of attorney pursuant to certain resolutions adopted by the Board of Directors of the Corporation at a meeting duly called and held on March 11, 1996, the signature of such directors and officers and the seal of the Corporation may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Corporation in the future with respect to any bond or undertaking to which it is attached.

This Power of Attorney shall expire and all authority hereunder shall terminate without notice at midnight (Standard Time where said attorney(s)-in-fact is authorized to act), June 30 2003

IN WITNESS WHEREOF, the Corporation has caused these presents to be duly signed and its corporate seal to be hereunto affixed and attested this 10 September 2002, at Stamford, Connecticut.

(Corporate Seal)

GREENWICH INSURANCE COMPANY

ATTEST Suraya K. Kieffer, Assistant Vice President

By Mary A. Roddy, Vice President

STATE OF CONNECTICUT ss: Greenwich

On the 10 day of September 2002 before me personally came Mary A. Roddy, Vice President

to me known, who being by me duly sworn, did depose and say that (s)he resides in Norwalk, CT that (s)he is a Vice President of GREENWICH INSURANCE COMPANY, the corporation described in and which executed the above instrument; that (s)he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that (s)he signed his(her) name thereto by like order.

(Notarial Seal)

Suzanne M. Johnson Notary Public My Commission Expires 12/31/04

Greenwich CERTIFICATE

STATE OF CONNECTICUT ss: COUNTY OF FAIRFIELD

I, Karen M. Manente the Assistant Secretary of GREENWICH INSURANCE COMPANY, a California corporation (the "Corporation"), hereby certify:

1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of the Corporation and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;

2. The following resolutions which were adopted by the Board of Directors of the Corporation by unanimous written consent on April 5, 2000 and said resolutions have not since been revoked, amended or modified:

"RESOLVED that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Corporation any and all bonds, undertakings or obligations in surety or co-surety with others:

and Laura A. Shanahan Sheila M. Kelly Mary A. Roddy Suraya K. Kieffer Lynn M. Petilli

RESOLVED, FURTHER, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Corporation."

3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 18th day of September 2002

(Corporate Seal)

Karen M. Manente Karen M. Manente