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ARIZONA CORPORATION COMMISSION RECEIVED

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WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

IN THE MATTER OF THE APPLICATION OF  
KMC DATA, LLC, FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
PROVIDE COMPETITIVE FACILITIES-  
BASED AND RESOLD LOCAL EXCHANGE  
AND RESOLD INTEREXCHANGE  
TELECOMMUNICATIONS SERVICES IN THE  
STATE OF ARIZONA AND PETITION FOR  
COMPETITIVE CLASSIFICATION OF  
PROPOSED SERVICES

Docket No. T-04014A-01-0340

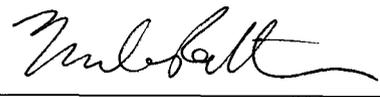
**NOTICE OF FILING OF SECOND  
AFFIDAVIT OF PUBLICATION**

Please take notice that KMC Data, LLC is filing its second Affidavit of  
Publication from the Arizona Republic to verify that public notice was published regarding  
the above-referenced application on the date indicated in the affidavit.

Dated: June 25, 2002.

Respectfully submitted,

**KMC DATA, LLC**

By   
Michael W. Patten  
ROSHKA HEYMAN & DEWULF, P.L.C.  
One Arizona Center  
400 East Van Buren Street, Suite 800  
Phoenix, Arizona 85004  
Telephone: (602) 256-6100  
Facsimile: (602) 256-6800

Arizona Corporation Commission  
**DOCKETED**

JUN 25 2002

DOCKETED BY 

**ROSHKA HEYMAN & DEWULF, PLC**

TWO ARIZONA CENTER  
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Genny Morelli.  
Eric D. Jenkins  
Kelley Drye & Warren LLP  
1200 19th Street, N.W., Suite 500  
Washington, D.C. 20036  
Telephone: (202) 955-9600  
Facsimile: (202) 955-9792

**ORIGINAL and TEN (10) COPIES** of the  
foregoing filed June 25, 2002, with:

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



A handwritten signature in cursive script, appearing to read "Eric D. Jenkins", is written over a horizontal line.

**NOTICE OF APPLICATION FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE, FACILITIES-BASED AND FACILITIES-BASED AND FACILITIES-BASED CHANGE AND EXCHANGE ACCESS TELECOMMUNICATIONS SERVICES**

Docket No. 04014A-01-0340  
KMC Data, L.L.C. (Applicant) has filed with the Arizona Corporation Commission (Commission) an application for a Certificate of Convenience and Necessity (Certificate) to provide competitive facilities-based and resold local exchange and exchange access telecommunications services in the State of Arizona. Applicant will be required by the Commission to provide this service under the rates and charges and terms and conditions established by the Commission. The application, report of the Commission's Utilities Division Staff, and any written exceptions to the staff report prepared by the applicant are available for inspection during regular business hours at the offices of the Commission located at 1200 West Washington Street, Phoenix, Arizona 85007, and at Applicant, 1755 North Brown Road, Lawrenceville, Georgia 30043.

Under appropriate circumstances interested parties may intervene in the proceedings and participate as a party. You may have the right to intervene in the proceeding, or you may make a statement for the record. Intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before July 10, 2002. Persons desiring to intervene must file a written motion to intervene with the Commission and send such motion to the Company or its counsel and to all parties of the record, and which at the minimum shall contain the following:

1. The name, address and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the company, a shareholder of the company, a competitor, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

A.A.C. R14-3-105 shall govern the granting of motions to intervene. The granting of intervention among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity

from appearing at the hearing and making a statement on their own behalf. The hearing is scheduled to commence on July 17, 2002 at 10:00 a.m. at the Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007. Please check with the Commission for any changes to the scheduled hearing date.

If you have any comments mail them to:  
The Arizona Corporation Commission  
Attention: Docket Control  
c/o KMC Data, L.L.C.  
1200 West Washington Street  
Phoenix, Arizona 85007

If you have any questions about this application, or want information on intervention, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-0000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request reasonable accommodations such as sign language interpreter, as well as request this document in an alternative format by contacting Shelly Hood, ADA Coordinator, voice phone number 602-542-3931, E-Mail shood@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.  
02324 - June 5, 2002

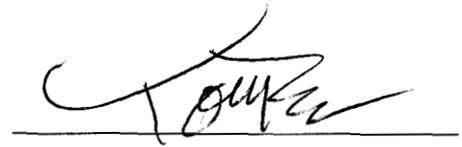
# THE ARIZONA REPUBLIC

STATE OF ARIZONA }  
COUNTY OF MARICOPA } SS.

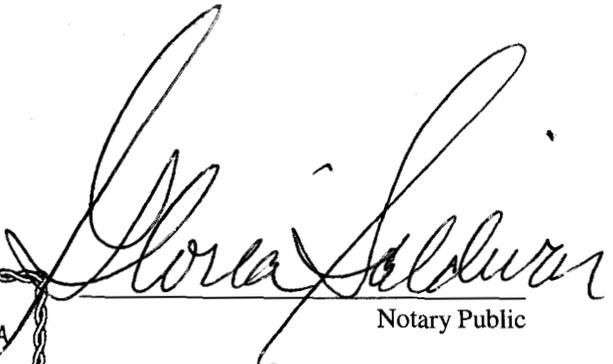
TOM BIANCO, being first duly sworn, upon oath deposes and says: That he is the legal advertising manager of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes The Arizona Republic, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates as indicated.

The Arizona Republic

JUNE 05, 2002



Sworn to before me this  
10<sup>TH</sup> day of  
June A.D. 2002



Notary Public