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Arizona Corporation Commission
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Arizona Corporation Commission
Docket Control - Utilities Division
1200 W. Washington Street
Phoenix, Arizona 85007

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Re: In the Matter of J. Richard Company DBA Live Wire Phone Company's
Application for a Request to Cancel its Facilities-Based Local Exchange
Certificate and a Request for Reduction in Performance Bond
Docket No. T-04257A-06-0350

To Docket Control:

Attached are J. Richard Company DBA Live Wire Phone Company's Responses to
Staff's First Set of Data Requests in the above-referenced docket. If you require any additional
information or have any questions, please contact me.

Very truly yours,

Michael T. Hallam

MTH/jw

cc: Original and 13 Copies to Docket Control
Pamela Genung (Utilities Division)

**J. RICHARD COMPANY DBA LIVE WIRE PHONE COMPANY'S
RESPONSES TO FIRST SET OF DATA REQUESTS**

Docket No: T-04257A-06-0350

June 19, 2006

J. Richard Company DBA Live Wire Phone Company ("Live Wire"), hereby submits the following objections and responses to the First Set of Data Requests submitted by the Arizona Corporation Commission Staff ("Staff").

GENERAL OBJECTIONS TO ALL DATA REQUESTS

1. Applicant objects to each and every Request to the extent it seeks information subject to the attorney-client privilege, work product doctrine or any other privilege recognized by the State of Arizona. In responding to these Requests, Applicant does not waive, but preserves, all such privileges.

2. Applicant objects to each and every Request to the extent it seeks information that is confidential, sensitive, competitive in nature or proprietary to them. In responding to these requests, Applicant does not waive, but preserves, its claim that request for customer and market information is confidential.

3. Applicant objects to each and every Request to the extent that it is unreasonably burdensome, overly broad or not reasonably calculated to lead to the discovery of admissible evidence.

4. Applicant objects to each and every one of Staff's definitions and/or instructions to the extent it purports to abrogate any of Applicant's rights, or add to any of Applicant's obligations under, the Arizona Rules of Civil Procedure or the Commission's Rules.

5. Applicant objects to each and every Request to the extent it is overly broad, unduly burdensome or imposes any burden not expressly permitted under Commission's Rules or the Arizona Rules of Civil Procedure.

6. Applicant objects to each and every Request to the extent that it calls for information already in the possession, custody and control of Staff.

7. Applicant objects to each and every Request to the extent it seeks information outside of Applicant's possession, custody or control.

8. Applicant expressly reserves the right to supplement or amend its objections and responses as necessary.

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Applicant incorporates the foregoing General Objections into each response as if fully set forth therein.

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SPECIFIC RESPONSES TO ALL DATA REQUESTS

STF 1.1. Please verify whether Live Wire is in compliance with filing of its annual report as required in Findings of Fact/Staff recommendation item 13(1) of Commission Decision No. 67588.

Response: Live Wire filed its annual report on June 30, 2006. An explanation for the late filing was submitted with the annual report.

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STF 1.2. Please identify the type of service that all of Live Wire's customers are currently working on. Also indicate what company's switch their service is working through (e.g. Qwest, Live Wire, etc).

Response: Currently, most of Live Wire's customers receive resale services; however, some customers are UNE-P accounts. Live Wire is in the process of converting those accounts to resale accounts. This conversion should be completed by the end of July. There will be no additional cost to customers, and no reduction in their services. Live Wire has an interconnection agreement with Qwest, and Qwest's switches are used for the service.

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STF 1.3. Please indicate the number of customers and number of access lines that are affected by this transition.

Response: Of the total customer base of 65, there are approximately 25 customer accounts that will be converted from UNE-P to resale.

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STF 1.4. Please further explain the impact to the customers being transitioned. Be sure to include information regarding terms and conditions of service agreements, any changes to rates and charges, and any affect on quality of service.

Response: Because Live Wire is a prepaid, basic service provider, there will be no change in rates or services to the customer. Further, Live Wire has no service agreements with its customers, as all customers are on month-to-month renewal.

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STF 1.5. Please explain whether customers that are being transitioned from UNE-P to resold services have an option of going with an alternate provider if they do not desire Live Wire's resold service.

Response: As stated in response to STF 1.4, customers have the option of continuing their service on a month-to-month basis, and they always have the option of switching to an alternate provider at any time they choose.

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STF 1.6. Please indicate whether Live Wire plans to charge early termination fees to those customers who desire an alternate provider versus Live Wire's resold service.

Response: There are no early termination fees, for reasons mentioned above. There are no long-term contractual commitments; therefore, early termination fees are not applicable.

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STF 1.7. Please explain in detail Live Wire's transition process for the affected customers.

Response: This conversion is an internal change only, which will only affect Live Wire's billing with Qwest. The services and rates to the end-users will remain exactly the same, with no interruption in service.

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STF 1.8. Please indicate whether Live Wire is currently holding deposits or advanced payments on any of its customers. If so, please state the total dollar amount being held.

Response: Live Wire does not collect any deposits from its customers. As a prepaid service, the customer "renews" by paying their bill prior to their next cycle date in order for their phone service to continue the following month. Live Wire is a very small company at this point, so funds collected in advance of services would not exceed \$2,000.00

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STF 1.9. If Live Wire is currently holding deposits or advanced payments on those customers that are being transitioned and those customers desire an alternate provider rather than Live Wire's resold service, please describe your plan for refunding those customer's deposits and/or advance payments pursuant to A.C.C. R14-2-1107(A)3.

Response: Live Wire's business allows for cancellation at any point during term of service. If a refund is due, Live Wire will issue the customer a check for the prorated portion of unused services.

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STF 1.10. Pursuant to A.C.C. R14-2-1107(B). Please provide an affidavit confirming publication of legal notice in all counties affected by the Application.

Response: In the Application filed in this matter, Live Wire requested a waiver of this requirement. Given that this cancellation request only involves an internal change from UNE-P service to resold service, Live Wire submits that this requirement should not apply. Customers will not be affected by this change.

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STF 1.11. Please indicate whether Live Wire's existing resale customers will experience a rate increase due to this transition.

Response: There will be no rate increase due to this transition.

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STF 1.12. Please specify whether a revision will need to be made to Live Wire's tariff due to its cancellation of providing facility-based services.

Response: Live Wire's tariff allows for both resold and facilities-based services; therefore, no changes would be required.

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STF 1.13. Please explain whether there is an impact on the interconnection agreement that Live Wire has with Qwest. Indicate if an amendment will need to be made to the interconnection agreement.

Response: Live Wire's interconnection agreement with Qwest allows it to provision both resold and UNE-P products, and no amendment is needed.

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STF 1.14. A.R.S. Section 40-285 requires that a public service corporation obtain Commission approval before selling utility assets. Please indicate whether Live Wire has its own switch. If so, please explain what the plans are for the switch if all customers will be receiving resold services from Live Wire.

Response: Live Wire does not have its own switch, nor does it plan on acquiring such equipment in the future.