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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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DEC 28 2001

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2 WILLIAM A. MUNDELL
Chairman
3 JIM IRVIN
Commissioner
4 MARC SPITZER
Commissioner
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6 IN THE MATTER OF THE APPLICATION OF)
VARTEC TELECOM, INC., EXCEL)
7 TELECOMMUNICATIONS, INC.,)
EMERITUS COMMUNICATIONS, INC.,)
8 AND LONG DISTANCE WHOLESALE)
CLUB, INC., FOR EXCEPTION FROM)
9 A.R.S. 40-285 AND WAIVER OF THE)
PUBLIC UTILITY HOLDING COMPANIES)
10 AND AFFILIATED INTEREST RULES)

DOCKET NOS. T-03401A-01-0952
T-02584A-01-0952
T-03188A-01-0952

DECISION NO. 64285

ORDER

11 Open Meeting
December 18 and 19, 2001
12 Phoenix, Arizona

13 BY THE COMMISSION:

14 FINDINGS OF FACT

15 1. On December 4, 2001, VarTec Telecom, Inc. ("VarTec"), Excel Telecommunications,
16 Inc. ("Excel"), eMeritus Communications, Inc. f/k/a Teleglobe Business Solutions, Inc., f/k/a Telco
17 Holdings, Inc d/b/a Dail & Save Corp. ("eMeritus"), and Long Distance Wholesale Club, Inc.
18 ("LDWC"), collectively ("the Applicants") applied, pursuant to A.R.S. 40-202.M for a permanent
19 exception from A.R..S. 40-285 and, pursuant to A.A.C. R14-2-806, for a permanent general waiver
20 of the Commission's Public Utility Holding Companies and Affiliated Interests Rules (A.A.C. R14-2-
21 801 to R14-2-806 ("the Rules").

22 2. Staff has not had adequate time to review the VarTec's proposal and therefore,
23 recommends that the filing be suspended for a period of one hundred twenty days.

24 CONCLUSIONS OF LAW

25 1. The Companies are Arizona public service corporations within the meaning of Article
26 XV, Section 2 of the Arizona Constitution.

27 2. The Commission has jurisdiction over the Companies and over the subject matter of the
28 application.

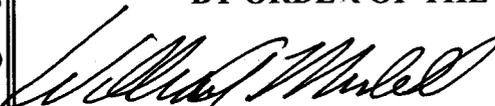
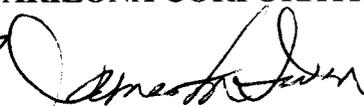
1 3. The Commission having reviewed the application and Staff's Memorandum dated
2 December 11, 2001, concludes that it is in the public interest to suspend the filing for a period of one
3 hundred twenty days.

4 ORDER

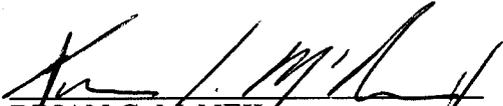
5 IT IS THEREFORE ORDERED that the filing be and hereby is suspended for a period of one
6 hundred twenty days (120), up to and including May 1, 2002..

7 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

8 **BY ORDER OF THE ARIZONA CORPORATION COMMISSION**

9 
10 CHAIRMAN  COMMISSIONER  COMMISSIONER

11 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
12 Secretary of the Arizona Corporation Commission, have
13 hereunto, set my hand and caused the official seal of this
14 Commission to be affixed at the Capitol, in the City of
15 Phoenix, this 28th day of December, 2001.

16 
17 BRIAN C. McNEIL
18 Executive Secretary

19 DISSENT: _____

20 EGJ:REL:lhbm

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1 SERVICE LIST FOR: VarTec Telecom, Inc., Excel Telecommunications, Inc., eMeritus
2 Communications, Inc., and Long Distance Wholesale Corp., Inc.

3 DOCKET NOS. T-03401A-01-0876 et al.

4 Mr. James U. Troup
5 McGuire Woods LLP
6 Washington Square
7 1050 Connecticut Avenue, N.W.
8 Suite 1200
9 Washington, D.C. 20036-5317

10 Mr. Ernest Johnson
11 Director, Utilities Division
12 Arizona Corporation Commission
13 1200 West Washington
14 Phoenix, Arizona 85007

15 Mr. Christopher C. Kempley
16 Chief Counsel
17 Arizona Corporation Commission
18 1200 West Washington
19 Phoenix, Arizona 85007

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