

ORIGINAL



0000081173

BEFORE THE ARIZONA CORPORATION COMMISSION

25ED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COMMISSIONERS

Arizona Corporation Commission

RECEIVED

DOCKETED

2008 JAN 24 A 8:28

MIKE GLEASON, Chairman

JAN 24 2008

WILLIAM A. MUNDELL

MIKE GLEASON

KRISTIN K. MAYES

GARY PIERCE

DOCKETED BY	ne
-------------	----

AZ CORP COMMISSION
DOCKET CONTROL

DOCKET NO. T-20487A-06-0714

IN THE MATTER OF THE APPLICATION OF
TRIPLET MOUNTAIN COMMUNICATIONS,
INC. FOR APPROVAL FOR A CERTIFICATE
OF CONVENIENCE AND NECESSITY TO
PROVIDE RESOLD LONG DISTANCE AND
FACILITIES-BASED LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES IN
ARIZONA.

PROCEDURAL ORDER

BY THE COMMISSION:

In Decision No. 70101, effective December 21, 2007, the Arizona Corporation Commission ("Commission") granted Triplet Mountain Communications, Inc. ("Triplet") a Certificate of Convenience and Necessity ("CC&N") to provide facilities-based local exchange services and resold long distance services in Arizona, conditioned upon compliance with certain requirements. Among those were requirements to (1) obtain a performance bond or irrevocable sight draft letter of credit ("ISDLOC") in the amount of \$110,000 and (2) within 30 days after the effective date of the Decision, file the original performance bond or ISDLOC with the Commission's Business Office and copies of the performance bond or ISDLOC with the Commission's Docket Control. Thus, the deadline to obtain and file the original performance bond or ISDLOC with the Commission was January 22, 2008.

On January 22, 2008, Triplet filed with the Commission a Motion for Extension of Time to File Letter of Credit, asserting that Triplet had not received copies of the Decision until January 2, 2008, and was still in the process of obtaining a letter of credit from Bank of America. Triplet stated that it expects the bank to issue the letter of credit within the next 10 to 12 days and requested that the deadline for filing the letter of credit be extended for a period of 14 days, until February 5, 2008. Triplet further stated that it is not yet providing any services authorized under the Decision and will not do so before the letter of credit is filed.

1 Although Triplet should have been aware of the requirements of the Decision on the date of
2 the open meeting at which it was approved, because Triplet was present, the Commission believes
3 that the holidays occurring between the open meeting date and the deadline may have impeded
4 Triplet's ability to comply with the performance bond/ISDLOC requirements in a timely manner.
5 Thus, it is reasonable to allow Triplet additional time to comply with those requirements.

6 IT IS THEREFORE ORDERED that the deadline for Triplet to obtain and file a performance
7 bond/ISDLOC that meets the requirements of Decision No. 70101 is extended until February 5, 2008.

8 IT IS FURTHER ORDERED that Triplet shall not provide any services authorized under
9 Decision No. 70101 until after it has obtained and filed a performance bond that meets the
10 requirements of Decision No. 70101.

11 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
12 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
13 hearing.

14 Dated this 24th day of January, 2008.

15
16 
17 SARAH N. HARPRING
18 ADMINISTRATIVE LAW JUDGE

19 Copies of the foregoing mailed/delivered
this 24th day of January, 2008, to:

20 Vernon R. James
21 TRIPLET MOUNTAIN COMMUNICATIONS, INC.
22 10 Telecom Lane
Peridot, AZ 85542

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

23 Glenn M. Feldman
24 MARISCAL, WEEKS, McINTYRE &
25 FRIEDLANDER, P.A.
2901 North Central Avenue, Suite 200
Phoenix, AZ 85012-2705

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, AZ 85007

26 Karen Twenhafel
27 Sr. Regulatory Consultant
28 TELCOM CONSULTING ASSOCIATES
1465 Kelly Johnson Boulevard, Suite 200
Colorado Springs, CO 80920

By: 
Debra Broyles
Secretary to Sarah N. Harpring