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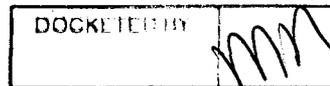
AZ CORP COMMISSION
DOCKET CONTROL

CERTIFIED MAIL

Arizona Corporation Commission
DOCKETED

Mr. Thomas M. Forte
Consultant to Access Point, Inc.
2600 Maitland Boulevard, Suite 300
Maitland, Florida 32751

FEB 14 2008



RE: STAFF'S FIRST SET OF DATA REQUESTS TO ACCESS POINT, INC.
DOCKET NO. T-03446A-08-0055

Dear Mr. Forte:

On January 28, 2008, Access Point, Inc. ("Access Point") filed an Application for a Certificate of Convenience and Necessity ("CC&N") to provide resold long distance, facilities-based local exchange, and resold local exchange telecommunications services within the State of Arizona. The Application is not yet sufficient. This data request lists the information that Staff needs to complete its analysis of the Application. Please treat this as Staff's First Set of Data Requests to Access Point in the above matter.

For purposes of this data request set, the words "Access Point", "Applicant", "the Company", "you", and "your" refer to Access Point, Inc. and any representative, including every person and/or entity acting with, under the control of, or on behalf of Access Point. For each answer, please identify by name, title, and address each person providing information that forms the basis for the response provided. These data requests are continuing, and your answers or any documents supplied in response to these data requests should be supplemented with any additional information or documents that come to your attention after you have provided your initial responses.

Please provide Docket Control with the information being requested within **30 days** of the date of this letter. Mail an original plus 13 copies to Docket Control, Arizona Corporation Commission, 1200 W. Washington Street, Phoenix, AZ 85007-2927. If no response is received, Staff will recommend that the Application be terminated as per Rule R14-2-1103 and R14-2-510(E)3. If the Application is terminated, the Applicant cannot provide the same telecommunications services in Arizona for which it is currently applying, until such time as a new Application is filed with and approved by the Commission.

Mr. Thomas M. Forte
February 14, 2008
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Remember that information submitted for a CC&N will be made a part of the public record (including financial statements). Any information designated as confidential will not be accepted by Docket Control. If you have any questions, please contact me at (602) 542-0664. Thank you for your prompt response to this request.

Respectfully,



Pamela J. Genung
Staff Analyst
Utilities Division

PJG:tdp

Enclosure(s)

CC: Docket Control Center (Original and Thirteen Copies)

**ARIZONA CORPORATION COMMISSION
STAFF'S FIRST SET OF DATA REQUESTS TO
ACCESS POINT, INC.
DOCKET NO. T-03446A-08-0055**

Please make sure each numbered item and each part of the item is answered completely. In order for Staff to continue with its review of this application, the following information must be submitted:

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- STF 1.1 As indicated in item A-1 of your Application, Access Point is requesting authority to provide resold long distance, resold local exchange, and facilities-based local exchange telecommunications services. Staff is of the understanding that a CC&N to provide resold long distance telecommunications service was previously granted to Access Point on June 9, 2000 on Decision No. 62624. Please confirm which types of services Access Point is requesting authority to provide through this Application.
- STF 1.2 Please indicate the number of Arizona customers currently being served by Access Point.
- STF 1.3 Please verify whether the Annual Reports for Access Point that are currently on file with the Commission are up to date.
- STF 1.4 Please verify that Access Point is in compliance with Commission Decisions and all rules and regulations.
- STF 1.5 Please identify and explain whether Access Point has any outstanding or unresolved consumer complaints with this Commission.
- STF 1.6 Please discuss the complaint history of Access Point at the FCC and in any state that Access Point is currently providing service.
- STF 1.7 Please provide copies of Access Point's 2007 financial statements.
- STF 1.8 In regards to item A-9 of your Application, Staff is unable to locate the proposed current and maximum rates in the proposed tariff included in Attachment B for those services that Access Point is requesting authority to provide in the State of Arizona. Please indicate by referencing the tariff page number(s) where these rates can be found and/or submit updated proposed tariff pages containing those rates.
- STF 1.9 In regards to item B-4 of your Application, please provide answers to the five specific statements contained in that item.
- STF 1.10 Please explain how Access Point calculated the current and maximum rates that will be contained in its tariffs for each of the services it is requesting authority to provide.

**ARIZONA CORPORATION COMMISSION
STAFF'S FIRST SET OF DATA REQUESTS TO
ACCESS POINT, INC.
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STF 1.11 Please identify all other states/jurisdictions in which your company or an affiliate provides facilities-based local exchange, resold local exchange, and resold long distance telecommunications services. Please specify, in a matrix format, the tariff rates and charges that your company and/or affiliate charges for those services in the other jurisdictions. If there is a difference between the tariff rates and charges that your company will charge in Arizona and the tariff rates and charges that your company and/or affiliate charges in other jurisdictions; please identify and indicate the amount of the difference and explain why you are charging different tariff rates and charges in Arizona. The material you provide should enable Staff to determine whether these tariff rates and charges are identical or comparable to the tariff rates and charges charged in other jurisdictions. Please provide all source documentation.

STF 1.12 Please indicate why you believe that your range of rates is just and reasonable using a competitive market analysis. Your analysis should contain publicly available examples of tariff rates and charges charged by the incumbent and other carriers for similar services. Include any other information that you believe demonstrates that your actual rates are just and reasonable. For a list of telecommunications carriers certified in Arizona, go to www.cc.state.az.us/utility/utility. For a list of Commission-approved telecommunications rates and tariffs, go to www.cc.state.az.us/utility/tariffs.

Provide actual tariff pages and use a matrix format to show your actual or proposed tariff rates and charges. Then show each competitor's tariff rates and charges for comparable telecommunications services and/or calling plans. At a minimum, show tariff information of Qwest and two other competitors in Arizona. The material you provide should enable Staff to determine whether the tariff rates and charges of the Applicant are just and reasonable compared to other competitors offering the same or similar telecommunications services in Arizona. Please provide all source documentation.