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2008 JUN 11 P 2: 38 June 11, 2008

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Mr. Jeffrey W. Crockett, Esq.
Mr. Bradley S. Carroll, Esq.
SNELL & WILMER
One Arizona Center
Phoenix, Arizona 85004-2202

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RE: STAFF'S SECOND LETTER OF INSUFFICIENCY AND SECOND SET OF DATA REQUESTS TO ACCIPITER COMMUNICATIONS, INC., DOCKET NOS. T-02847A-08-0164 AND T-01051B-08-0164

Dear Sirs:

On March 18, 2008, Accipiter Communications, Inc., dba Zona Communications ("Accipiter" or "Zona") and Qwest Corporation ("Qwest") jointly filed an Application at the Arizona Corporation Commission ("Commission") for Accipiter to extend its Certificate of Convenience and Necessity ("CC&N") and to delete a portion of its CC&N in favor of Qwest and for Qwest to extend its service area and delete a portion of its service area in favor of Accipiter. On May 14, 2008, Zona submitted its response to Staff's First Letter of Insufficiency. The Application submitted is not yet sufficient. This data request lists the information Staff needs to complete its analysis of the Application.

For purposes of this data request set, the words "Accipiter", "Zona", "Qwest", "Applicant", the "Company", "you", and "your" refer to Accipiter Communications, Inc. or Qwest Corporation, Inc., any representative, including every person and/or entity acting with, under the control of, or on behalf of Accipiter communications, Inc. or Qwest Corporation respectively. **For each answer, please identify by name, title, e-mail address, telephone number 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. Also, please make sure all information you provide in response to item(s) concerning this Application, including Staff's data requests, is updated and current. If you need to update your response to

Mr. Jeffrey W. Crockett, Esq.
Mr. Bradley S. Carroll, Esq.
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any item(s)/request(s), please reference the item(s)/request(s) and provide your current response(s).

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. If the Application is terminated, the Applicants cannot provide to the requested transferred service areas the telecommunications services that they are authorized to provide in Arizona, until such time as a new Application is filed with and approved by the Commission.

Remember that information submitted concerning 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. Should there be any questions, please contact me at (602) 364-0336. Thank you for your prompt response to this request.

Respectfully,



Richard Boyles
Utilities Engineer
Utilities Division

RLB:tdp

Enclosure(s)

CC: Docket Control (Original and Thirteen Copies)

Norman G. Curtright, Esq.
20 E. Thomas Road, 16th Floor
Phoenix, Arizona 85012

**STAFF'S SECOND SET OF DATA REQUESTS TO
ACCIPITER COMMUNICATIONS, INC.
DOCKET NO. T-02847A-08-0164**

In addition to a paper response, all information responses should also be provided in searchable PDF, DOC or EXCEL files via email or electronic media.

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:

- STF 2.1 Please provide the time frame over which Zona has discussed the possibility of serving the Lake Pleasant development with the developer prior to Zona's April 6, 2007 proposal to Harvard Investments and the nature of such contacts.
- STF 2.2 In the attachment provide with the Company's response to STF 1.2, Harvard Investments inquires as to the necessity for "any documents and or contracts to continue the process". Has the Company entered into any binding contracts with Harvard Investments?
- STF 2.3 If the Company's response to STF 2.2 above is yes, please identify such documents or contracts and provide a summary of their purpose.
- STF 2.4 Please discuss any meetings the Company has had with Harvard Investments since its May 1, 2007 letter and the general nature of such contacts.
- STF 2.5 Section III of the Company's Application states that "Zona can readily extend its existing facilities from its Lake Pleasant Exchange" to serve the Lake Pleasant 5000 property. Please generally describe the magnitude of the required facility extension from Zona's existing facilities to the edge of the Lake Pleasant 5000 property.