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BEFORE THE ARIZONA CORPORATIC

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COMMISSIONERS

- KRISTIN K. MAYES— Chairman
- GARY PIERCE
- PAUL NEWMAN
- SANDRA KENNEDY
- BOB STUMP

2009 JAN 26 A 11:19

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION
AND PETITION OF PEERLESS NETWORK
OF ARIZONA, LLC FOR CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
PROVIDE INTRASTATE TELECOM-
UNICATION SERVICES

DOCKET NO. T-20590A-08-0175

NOTICE OF FILING AFFIDAVIT
OF PUBLICATION

Pursuant to the Procedural Order dated December 17, 2008, Peerless Network of Arizona, L.L.C. has published notice of the hearing to be held on March 5, 2009, in the above-captioned docket in the statewide edition of *The Arizona Republic*, a newspaper of general circulation in the area affected by the application, on January 19, 2009. A copy of the Affidavit of Publication from *The Arizona Republic* is attached hereto as Exhibit A.

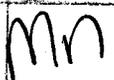
RESPECTFULLY submitted this 26th day of January, 2009.

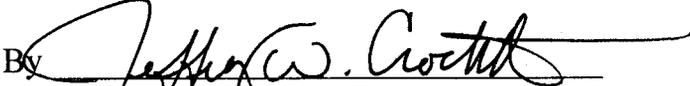
SNELL & WILMER

Arizona Corporation Commission

DOCKETED

JAN 26 2009

DOCKETED BY 

By 

Jeffrey W. Crockett, Esq.

One Arizona Center

Phoenix, Arizona 85004-2202

Attorneys for Peerless Network of Arizona, LLC

ORIGINAL and thirteen (13) copies of the fore-
going filed this 26th day of January, with:

Snell & Wilmer

LLP

LAW OFFICES
One Arizona Center, 400 E. Van Buren
Phoenix, Arizona 85004-2202
(602) 382-6000

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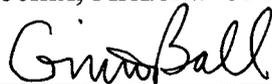
1 Docket Control
2 Arizona Corporation Commission
3 1200 W. Washington Street
4 Phoenix, Arizona 85007

5 COPIES of the foregoing hand-delivered this
6 26th day of January, 2009, to:

7 Lyn Farmer, Chief Administrative Law Judge
8 Hearing Division
9 Arizona Corporation Commission
10 1200 W. Washington Street
11 Phoenix, Arizona 85007

12 Janice Alward, Chief Counsel
13 Legal Division
14 Arizona Corporation Commission
15 1200 W. Washington Street
16 Phoenix, Arizona 85007

17 Ernest Johnson, Director
18 Utilities Division
19 Arizona Corporation Commission
20 1200 W. Washington Street
21 Phoenix, Arizona 85007



22 _____
23 CROCKEASWDMS19365469.1
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IN THE MATTER OF THE APPLICATION OF PEERLESS NETWORKS OF ARIZONA, LLC, FOR APPROVAL OF A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE RESOLD LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES, RESOLD LONG DISTANCE TELECOMMUNICATIONS SERVICES, FACILITIES-BASED LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES, AND FACILITIES-BASED LONG DISTANCE TELECOMMUNICATIONS SERVICES

(Docket No. T-20590A-08-0175)

In March 25, 2008, Peerless Networks of Arizona, LLC ("Company") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide resold local exchange telecommunications services, resold long distance telecommunications services, facilities-based long distance telecommunications services, and facilities-based local exchange telecommunications services. The Commission's Utilities Division ("Staff") has recommended approval of the Company's application. The Commission is not bound by the proposals made by the Company, Staff, or any intervenors, and the Company will be required to provide this service under the rates and charges and terms and conditions established by the Commission. Copies of the applications, report of Staff, and any written exceptions to the report of Staff filed by the Company will be available at the Company's offices at Peerless Network of Arizona, LLC at 225 West Washington Street, Chicago, Illinois 60606 and on the internet via the Commission website (www.azcc.gov) using the e-docket function. The Commission will hold a hearing on this matter beginning March 5, 2009, at 10:00 a.m., at the Commission's offices, Hearing Room 100, 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted via email (visit <http://www.azcc.gov/utility/index.htm> for instructions), or by mailing a letter referencing Docket Number T-20590A-08-0175 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington Street, Phoenix, Arizona 85007. The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission up to the day of the hearing. The motion to intervene must be sent to the Company or its counsel and to all parties of record, and must contain the following: 1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made, if different from the intervenor; 2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of Company, a shareholder of the Company, etc.); and

3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case. The granting of motions to intervene shall be governed by A.A.C. R14-3-109, except that all motions to intervene must be filed on or before February 12, 2009. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Arizona Corporation Commission's website at <http://www.azcc.gov/utility/forms/index.htm>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. If you have any questions about this application, you may contact the Company at 312-506-0920. If you wish to file written comments on the application or wish further information on intervention, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, AZ 85007, or call 1-800-222-7000. The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Linda Hogan, at LHogan@azcc.gov, voice phone number (602) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation. Published: January 19, 2009

THE ARIZONA REPUBLIC

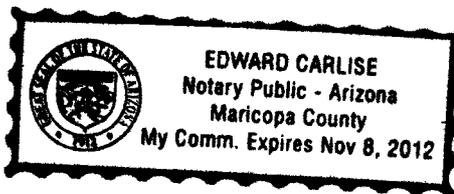
STATE OF ARIZONA }
COUNTY OF MARICOPA } SS.

Marilyn Greenwood, being first duly sworn, upon oath deposes and says: That she is a legal advertising representative of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes The Arizona Republic, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates as indicated.

The Arizona Republic

January 19, 2009.

Sworn to before me this
20TH day of
January A.D. 2009



Notary Public