

ORIGINAL



0000097905

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

KRISTIN K. MAYES

Chairman

GARY PIERCE

Commissioner

PAUL NEWMAN

Commissioner

SANDRA D. KENNEDY

Commissioner

BOB STUMP

Commissioner

2009 AUG 14 P 4:45

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION	)	DOCKET NO. T-20613A-08-0420
OF MERCURY VOICE & DATA COMPANY	)	
FOR APPROVAL OF A CERTIFICATE OF	)	<b>MERCURY VOICE &amp; DATA</b>
CONVENIENCE AND NECESSITY TO	)	<b>COMPANY'S NOTICE OF</b>
PROVIDE RESOLD LOCAL EXCHANGE,	)	<b>FILING AFFIDAVIT OF</b>
RESOLD LONG DISTANCE, FACILITIES-	)	<b>PUBLICATION</b>
BASED LOCAL EXCHANGE AND	)	
FACILITIES-BASED LONG DISTANCE	)	
TELECOMMUNICATIONS SERVICES	)	
	)	

Mercury Voice & Data Company hereby files the attached Affidavit of Publication evidencing the public notice given on August 10, 2009, regarding its application for a Certificate of Convenience and Necessity to provide resold local exchange, resold long distance, facilities-based local exchange and facilities-based long distance telecommunications services in the State of Arizona.

...  
...  
...

Arizona Corporation Commission

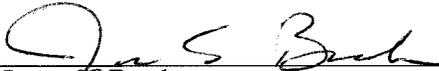
DOCKETED

AUG 14 2009

DOCKETED BY	
-------------	--

DATED this 14<sup>th</sup> day of August 2009.

OSBORN MALEDON, PA

By:  \_\_\_\_\_

Joan S. Burke  
Joseph N. Roth  
Osborn Maledon P.A.  
2929 North Central, Suite 2100  
Phoenix, AZ 85012  
Telephone: (602) 640-9000  
Facsimile: (602) 640-9050  
Jburke@omlaw.com  
Jroth@omlaw.com

Attorneys for Mercury Voice & Data Company

Original and 13 copies of the foregoing  
filed this 14<sup>th</sup> day of August 2009, with:

Docket Control  
ARIZONA CORPORATION COMMISSION  
1200 West Washington  
Phoenix, AZ 85007

 \_\_\_\_\_

**PUBLIC NOTICE OF THE HEARING ON THE APPLICATION OF MERCURY VOICE & DATA COMPANY FOR APPROVAL OF A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE RESOLD LOCAL EXCHANGE, RESOLD LONG DISTANCE, FACILITIES-BASED LOCAL EXCHANGE AND FACILITIES-BASED LONG DISTANCE TELECOMMUNICATIONS SERVICES**

(Docket No. T-20613A-08-0420)

**Summary**  
On August 8, 2008, Mercury Voice & Data Company ("Company") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity to provide resold local exchange, resold long distance, facilities-based local exchange and facilities-based long distance telecommunications services. The Commission's Utilities Division ("Staff") has not yet made a recommendation regarding the Company's application, and the Commission is not bound by the proposals made by the Company, Staff, or any intervenors. The Commission will issue a decision regarding the Company's application following consideration of testimony and evidence presented at an evidentiary hearing.

**How You Can View or Obtain a Copy of the Application**

Copies of the application are available at the offices of Osborn Maledon P.A., 2929 North Central Avenue, Suite 2100, Phoenix, Arizona 85012 and the Commission's offices at 1200 West Washington Phoenix, Arizona, for public inspection during regular business hours and the Internet via the Commission website ([www.azcc.gov](http://www.azcc.gov)) using the e-docket function.

Arizona Corporation Commission Public Hearing Information

The Commission will hold a hearing on this matter beginning September 30, 2009, at 1:30 p.m. or as soon thereafter as is practical, at the Commission's offices, Hearing Room 1, 1200 West Washington Street, Phoenix, Arizona 85007. 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/divisions/utilities/forms/publiccomment.pdf> for instructions), or by mailing a letter referencing Docket Number T-20613A-08-0420 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington Phoenix, Arizona 85007. If you require assistance, you may contact the Consumer Services Section at (800) 222-7000.

**About Intervention**

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you would like to intervene, you must file a written motion to intervene with the Commission no later than September 9, 2009. You must send copies of the motion to the Company or its Counsel, and to all parties of record in the case. Your motion to intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any party upon whom documents are to be served in your place, if desired;
2. A short statement of your interest in the proceeding (e.g., a customer of the Company, a shareholder of the Applicants, etc.); and
3. A statement certifying that a copy of your 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. R14-3-105, except that all motions to intervene must be filed on or before September 9, 2009. If repre-

sentation 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 webpage at <http://www.azcc.gov/divisions/utility/forms.asp>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf. ADA/Equal Access Information  
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 Shaylin A. Bernal, e-mail: [sabernal@azcc.gov](mailto:sabernal@azcc.gov), voice phone number: 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.  
Published: August 10, 2009

**AFFIDAVIT OF PUBLICATION**

**THE ARIZONA REPUBLIC**

STATE OF ARIZONA }  
COUNTY OF MARICOPA } SS.

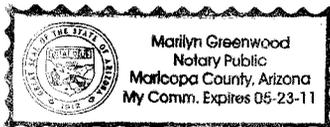
Mark Gilmore, being first duly sworn, upon oath deposes and says: That he is a legal advertising representative of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes 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

August 10, 2009



Sworn to before me this  
10<sup>TH</sup> day of  
August A.D. 2009




Notary Public