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BEFORE THE ARIZONA CORPORATION C

Arizona Corporation Commission

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COMMISSIONERS

KRISTIN K. MAYES, Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

IN THE MATTER OF THE APPLICATION OF  
CURATEL, LLC, FOR APPROVAL OF A  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE COMPETITIVE  
RESOLD LONG DISTANCE, RESOLD LOCAL  
EXCHANGE, FACILITIES-BASED LONG  
DISTANCE, AND FACILITIES-BASED LOCAL  
EXCHANGE TELECOMMUNICATIONS  
SERVICES.

DOCKET NO. T-20579A-08-0084

DECISION NO. 71271

**ORDER EXTENDING TIME  
DEADLINE CONTAINED IN  
DECISION NO. 70983**

Open Meeting  
August 25 and 26, 2009  
Phoenix, Arizona

**BY THE COMMISSION:**

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

**FINDINGS OF FACT**

1. On May 5, 2009, the Commission granted to Curatel, LLC ("Curatel" or "Company"), a Certificate of Convenience and Necessity to provide competitive resold long distance, resold local exchange, facilities-based long distance, and facilities-based local exchange telecommunications services in Decision No. 70983 ("Decision").

2. Pursuant to the Decision, Curatel was required to file a performance bond or irrevocable sight draft letter of credit in the amount of \$235,000. Additionally, the Company was ordered to file the original performance bond or irrevocable sight draft letter of credit with the Commission's Business Office and copies of the performance bond or irrevocable sight draft letter of credit with Docket Control within 30 days of the effective date of the Decision.

3. Given the May 5, 2009, date of the Decision, this compliance item would have been due from Curatel on or about June 4, 2009.

1 4. On June 3, 2009, Curatel timely filed a Request for Extension of Deadline ("Request")  
2 requesting a 30-day extension to file the performance bond or irrevocable sight draft letter of credit.

3 5. On July 9, 2009, the Commission's Utilities Division Staff ("Staff") filed a Staff  
4 Report recommending approval of the Company's Request.

5 6. According to Curatel's Request, the Company has been actively pursuing a  
6 performance bond, but has encountered administrative delays with the bonding agency and would be  
7 unable to file the performance bond by June 4, 2009. The Company requested a 30-day extension for  
8 filing the performance bond or irrevocable sight draft letter of credit.

9 7. On July 2, 2009, after Curatel filed its Request, but before Staff filed its Staff Report,  
10 the Company filed its performance bond with the Commission.

11 8. In its Staff Report, Staff stated that since the performance bond has been docketed, the  
12 requirement for delivery of the performance bond has been met. As the Request was timely filed,  
13 Staff recommends that the Commission retroactively approve Curatel's Request and extend the  
14 deadline for filing of the performance bond to July 5, 2009.<sup>1</sup>

15 9. We find that Staff's recommendation is reasonable and shall be adopted.

16 **CONCLUSIONS OF LAW**

17 1. Curatel is a public service corporation within the meaning of Article XV of the  
18 Arizona Constitution and A.R.S. §§40-281 and 40-282.

19 2. The Commission has jurisdiction over Curatel and the subject matter of the Request  
20 for Extension of Deadline to comply with Commission Decision No. 70983.

21 3. Staff's recommendation is reasonable and should be adopted.

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<sup>1</sup> July 5, 2009, falls on a Saturday, but Curatel filed its performance bond before this date.

ORDER

IT IS THEREFORE ORDERED that Curatel, LLC's, Request for Extension of Deadline to comply with Decision No. 70983, is granted, and Curatel, LLC's July 2, 2009, filing meets the requirement of Decision No. 70983 as determined herein.

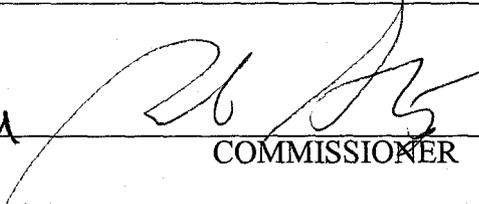
IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

  
CHAIRMAN

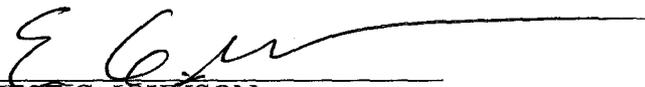
  
COMMISSIONER

  
COMMISSIONER

  
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COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 2nd day of sept, 2009.

  
ERNEST G. JOHNSON  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

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SERVICE LIST FOR: CURATEL, LLC  
DOCKET NO.: T-20579A-08-0084

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