

ORIGINAL

BEFORE THE ARIZONA CORPORATIC



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AZ CORP COMMISSION
DOCKET CONTROL

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COMMISSIONERS

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

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

DOCKET T-20590A-08-0175

NOTICE COMPLIANCE

In Decision 71269 (September 3, 2009), the Arizona Corporation Commission ("Commission") approved the extension of the deadline contained in Decision 70976 (May 5, 2009) for Peerless Network of Arizona, LLC ("Peerless") to docket proof of a performance bond or original sight draft letter of credit in the amount of \$225,000 until September 30, 2009. In accordance with Decision 70976, as modified by Decision 71269, notice is hereby given that Peerless has submitted this day to the Commission's Business Office three original copies of performance bonds totaling \$225,000 in favor of the Commission. A copy of the transmittal letter to the Business Office and copies of the performance bonds are attached hereto.

RESPECTFULLY SUBMITTED this 29th day of September, 2009.

SNELL & WILMER

Arizona Corporation Commission
DOCKETED

SEP 29 2009

DOCKETED BY

By

Jeffrey W. Crockett, Esq.
One Arizona Center
Phoenix, Arizona 85004-2202
Attorneys for Peerless Network of Arizona, LLC

Snell & Wilmer

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

1 ORIGINAL and thirteen (13) copies of the fore-
2 going filed this 29th day of September, 2009, with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 W. Washington Street
6 Phoenix, Arizona 85007

7 COPIES of the foregoing hand-delivered this
8 29th day of September, 2009, to:

9 Belinda A. Martin, Administrative Law Judge
10 Hearing Division
11 Arizona Corporation Commission
12 1200 W. Washington Street
13 Phoenix, Arizona 85007

14 Janice Alward, Chief Counsel
15 Legal Division
16 Arizona Corporation Commission
17 1200 W. Washington Street
18 Phoenix, Arizona 85007

19 Steve Olea, Director
20 Utilities Division
21 Arizona Corporation Commission
22 1200 W. Washington Street
23 Phoenix, Arizona 85007

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One Arizona Center
Phoenix, AZ 85004-2202
602.382.6000
602.382.6070 (Fax)
www.swlaw.com

DENVER
LAS VEGAS
ORANGE COUNTY
PHOENIX
SALT LAKE CITY
TUCSON

Jeffrey W. Crockett
602.382.6234
jcrockett@swlaw.com

September 29, 2009

VIA HAND DELIVERY

Business Office
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Re: Peerless Network of Arizona, LLC—Performance Bonds (Decision 70976)

To Whom It May Concern:

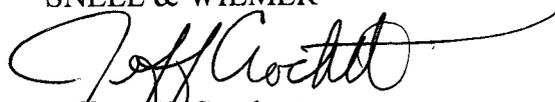
Pursuant to Decision 70976, the Arizona Corporation Commission ("Commission") ordered Peerless Network of Arizona, LLC, ("Peerless") to submit a performance bond or sight draft letter of credit in the amount of \$225,000 within 30 days of the effective date of Decision 70976. In Decision 71269, the Commission extended the deadline for submitting the performance bond or sight draft letter of credit until September 30, 2009. In accordance with Decision 70976, as modified by Decision 71269, Peerless encloses the original copies of three performance bonds totaling \$225,000 as follows:

Bond No. [REDACTED] \$ 25,000.00
Bond No. [REDACTED] \$100,000.00
Bond No. [REDACTED] \$100,000.00

Please contact me at the direct line listed above if you have any questions or comments.

Very truly yours,

SNELL & WILMER


Jeffrey W. Crockett

JWC:gdb
Enclosures
10588989.1

Bond No: [REDACTED]

LICENSE OR PERMIT BOND

KNOW ALL BY THESE PRESENTS, that we, Peerless Network of Arizona, LLC as Principal, and Washington International Insurance Company, a New Hampshire, Corporation are held and firmly bound unto Arizona Corporation Commission as Oblige, in the penal sum of Twenty Five Thousand and no/100 Dollars (\$ 25,000.00), good and lawful money of the United States, for payment of which well and truly to be made, we bind ourselves, and our heirs, executors, administrators, jointly and severally, firmly by these presents.

WHEREAS, the said Principal has applied to said Oblige for a license or permit to do business as Local Exchange Reseller.

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that, if Principal shall faithfully observe and honestly comply with the provisions of all Laws or Ordinances of Oblige regulating the business for which license or permit is issued, then this obligation shall be void; otherwise to be and remain in full force and effect.

PROVIDED HOWEVER:



Until canceled as herein provided:

This bond may be canceled by the Surety by sending notice in writing to the Oblige, stating when, not less than sixty (60) days thereafter, liability shall terminate as to subsequent acts or omissions of the Principal.

Signed, sealed and dated this 21st day of September, 2009.

Surety: Washington International Insurance Company

By: Josefina Cervantes
Josefina Cervantes, Attorney-in-Fact

Principal: Peerless Network of Arizona, LLC

By: John Bannick

Washington International Insurance Company, Itasca, IL 60143

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Itasca, Illinois, each does hereby make, constitute and appoint:

JACQUELYN M. NORSTROM, PAUL E. JOHNSON, JUDITH A. McGOOGAN,

JOSEPH J. ZAHN, JOSEFINA CERVANTES, DOROTHY J. FOX and JOHN P. HARNEY

jointly and severally

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

FIVE MILLION (\$5,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 24th of March, 2000:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By 
Steven P. Anderson, President & Chief Executive Officer of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company



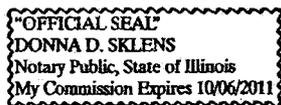
By 
David M. Layman, Senior Vice President of Washington International Insurance Company
& Vice President of North American Specialty Insurance Company

IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 30th day of September, 2008.

North American Specialty Insurance Company
Washington International Insurance Company

State of Illinois
County of Du Page ss:

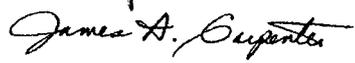
On this 30th day of September, 2008, before me, a Notary Public personally appeared Steven P. Anderson, President and CEO of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and David M. Layman, Senior Vice President of Washington International Insurance Company and Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.




Donna D. Sklens, Notary Public

I, James A. Carpenter, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 21st day of Sept., 2009



James A. Carpenter, Vice President & Assistant Secretary of Washington International Insurance Company & North American Specialty Insurance Company

State of Illinois
County of Cook

On this 21st day of September 2009, before me personally appeared
Josefina Cervantes, known to me to be the Attorney-in-fact of
Washington International Insurance Company, the corporation that executed the
within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the
aforesaid county, the day and year in this certificate first above written.

(Seal)



Jessica Diaz
(Notary Public)

Bond No: [REDACTED]

LICENSE OR PERMIT BOND

KNOW ALL BY THESE PRESENTS, that we, Peerless Network of Arizona, LLC as Principal, and Washington International Insurance Company, a New Hampshire, Corporation are held and firmly bound unto Arizona Corporation Commission as Oblige, in the penal sum of One Hundred Thousand and no/100 Dollars (\$ 100,000.00), good and lawful money of the United States, for payment of which well and truly to be made, we bind ourselves, and our heirs, executors, administrators, jointly and severally, firmly by these presents.

WHEREAS, the said Principal has applied to said Oblige for a license or permit to do business as Facility – Based Long Distance Provider.

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that, if Principal shall faithfully observe and honestly comply with the provisions of all Laws or Ordinances of Oblige regulating the business for which license or permit is issued, then this obligation shall be void; otherwise to be and remain in full force and effect.

PROVIDED HOWEVER:



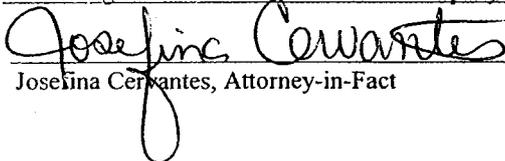
Until canceled as herein provided:

This bond may be canceled by the Surety by sending notice in writing to the Oblige, stating when, not less than sixty (60) days thereafter, liability shall terminate as to subsequent acts or omissions of the Principal.

Signed, sealed and dated this 21st day of September, 2009.

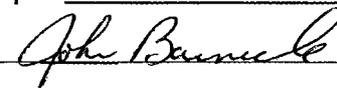
Surety: Washington International Insurance Company

By:


Josefina Cervantes, Attorney-in-Fact

Principal: Peerless Network of Arizona, LLC

By:



Washington International Insurance Company, Itasca, IL 60143

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Itasca, Illinois, each does hereby make, constitute and appoint:

JACQUELYN M. NORSTROM, PAUL E. JOHNSON, JUDITH A. McGOOGAN,

JOSEPH J. ZAHN, JOSEFINA CERVANTES, DOROTHY J. FOX and JOHN P. HARNEY

jointly and severally

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

FIVE MILLION (\$5,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 24th of March, 2000:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By [Signature]
Steven P. Anderson, President & Chief Executive Officer of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company



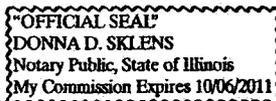
By [Signature]
David M. Layman, Senior Vice President of Washington International Insurance Company
& Vice President of North American Specialty Insurance Company

IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 30th day of September, 2008.

North American Specialty Insurance Company
Washington International Insurance Company

State of Illinois ss:
County of Du Page

On this 30th day of September, 2008, before me, a Notary Public personally appeared Steven P. Anderson, President and CEO of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and David M. Layman, Senior Vice President of Washington International Insurance Company and Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



[Signature]
Donna D. Sklens, Notary Public

I, James A. Carpenter, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

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[Signature]

James A. Carpenter, Vice President & Assistant Secretary of Washington International Insurance Company & North American Specialty Insurance Company

State of Illinois
County of Cook

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Josefina Cervantes, known to me to be the Attorney-in-fact of
Washington International Insurance Company, the corporation that executed the
within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the
aforesaid county, the day and year in this certificate first above written.

(Seal)



Jessica Diaz
(Notary Public)

Bond No: [REDACTED]

LICENSE OR PERMIT BOND

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WHEREAS, the said Principal has applied to said Oblige for a license or permit to do business as Facility – Based Provider of Local Exchange.

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Surety: Washington International Insurance Company

By: Josefina Cervantes
Josefina Cervantes, Attorney-in-Fact

Principal: Peerless Network of Arizona, LLC

By: John Barnico

Washington International Insurance Company, Itasca, IL 60143

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY

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JACQUELYN M. NORSTROM, PAUL E. JOHNSON, JUDITH A. McGOOGAN,

JOSEPH J. ZAHN, JOSEFINA CERVANTES, DOROTHY J. FOX and JOHN P. HARNEY

jointly and severally

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

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FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By

Steven P. Anderson

Steven P. Anderson, President & Chief Executive Officer of Washington International Insurance Company & Senior Vice President of North American Specialty Insurance Company



By

David M. Layman

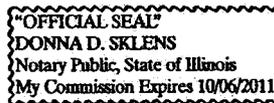
David M. Layman, Senior Vice President of Washington International Insurance Company & Vice President of North American Specialty Insurance Company

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Washington International Insurance Company

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County of Du Page ss:

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Donna D. Sklens

Donna D. Sklens, Notary Public

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James A. Carpenter

James A. Carpenter, Vice President & Assistant Secretary of Washington International Insurance Company & North American Specialty Insurance Company

State of Illinois
County of Cook

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(Seal)



Jessica Diaz
(Notary Public)