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VIA OVERNITE EXPRESS

Docket Control Center
Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007-2996

Arizona Corporation Commission
DOCKETED

JUL - 1, 2009



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Re: NewPath Networks, LLC Application for a Certificate of Convenience and Necessity; Docket No. T-20567A-07-0662

Dear Mr. Martinez,

I am writing in response to the consumer inquiry regarding the pending application for a Certificate of Convenience and Necessity for NewPath Networks, LLC ("NewPath"). Thank you for the opportunity to respond to Mr. Finkel's inquiry.

NewPath objects to Mr. Finkel's request that the proceedings be delayed until September 2009. The issues Mr. Finkel raises does not merit any further delay of the processing of NewPath's application for a CC&N. As you are certainly aware the changing of federal law can be a long and arduous process. In addition, it is our contention that the process in reaching an agreement between the City of Scottsdale and NewPath is both legal and binding. Finally, we do hope that the Happy Valley Ranch electrical engineer is feeling better and wish him a speedy road to recovery. However, in addition to the public hearing before Judge Kinsey, this mater will require another hearing before the full Commission at a date in the future. As such, the Happy Valley HOA has ample time to review the information and respond accordingly. Therefore, we respectfully submit that a postponement is unwarranted.

Please do not hesitate to contact us should you have any questions.

Sincerely,

Jamie T. Hall
Attorney for NewPath Networks, LLC

ORIGINAL and thirteen (13)
copies of the foregoing filed this
30th day of June, 2009, with:

The Arizona Corporation Commission
Utilities Commission – Docket Control
1200 W. Washington Street
Phoenix, Arizona 85007

Copies of the foregoing mailed/delivered
this 30th day of June, 2009 to:

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