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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

2009 SEP 15 P 1:24

ARIZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

SEP 15 2009

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IN THE MATTER OF THE APPLICATION OF  
NEWPATH NETWORKS, LLC, FOR  
APPROVAL OF A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
PROVIDE TRANSPORT AND BACKHAUL  
TELECOMMUNICATIONS SERVICES.

DOCKET NO. T-20567A-07-0662

**STAFF'S REQUEST FOR A BRIEF  
EXTENSION OF TIME TO FILE ITS BRIEF  
ON THE ISSUES RAISED BY THE TOWNS  
OF CAREFREE AND PARADISE VALLEY**

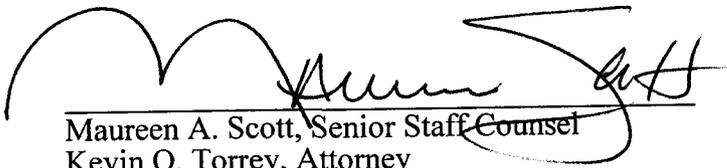
On November 26, 2007, NewPath Networks, LLC ("NewPath" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("CC&N") to provide transport and backhaul telecommunications services to wireless carriers in Arizona. The Company's Application was deemed insufficient by the Commission's Utilities Division Staff ("Staff") on August 7, 2008. On October 31, 2008, Staff recommended approval of the CC&N subject to certain conditions.

Prior to the second scheduled hearing day on this matter, the Towns of Carefree and Paradise Valley and the City of Scottsdale filed for late intervention in this matter and were subsequently granted Intervenor status. A few days before the hearing, the City of Scottsdale filed a Hearing Memorandum. The hearing was postponed to allow Staff and NewPath an opportunity to respond. The City of Scottsdale subsequently resolved its issues with NewPath and withdrew from the proceeding. Since that time, various extensions of time have been granted while NewPath and the Towns of Carefree and Paradise Valley attempted to resolve the issues between them.

By Procedural Order dated August 24, 2009, the Commission established September 15, 2009 as the date for Staff and NewPath to file responses to the City of Scottsdale's brief (which was subsequently adopted or relied upon in part by the Towns of Carefree and Paradise Valley). Due to family matters, counsel for the Utilities Division Staff ("Staff") was gone most of last week. Staff

1 counsel therefore requests a short extension of time until Friday, September 18, 2009 to file Staff's  
2 legal brief in this matter.

3 RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of September, 2009.  
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13 Original and thirteen (13) copies  
14 of the foregoing filed this  
15 15<sup>th</sup> day of September, 2009 with:

16 Docket Control  
17 Arizona Corporation Commission  
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19 Phoenix, Arizona 85007

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