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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2009 OCT -5 P 3:39

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
ACCESS POINT, INC., FOR APPROVAL OF A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE RESOLD LOCAL
EXCHANGE TELECOMMUNICATIONS
SERVICES AND FACILITIES-BASED LOCAL
EXCHANGE TELECOMMUNICATIONS
SERVICES

Docket No. T-03446A-08-0055

NOTICE OF FILING

Access Point, Inc. ("API") files a letter of intent to issue a \$125,000 Irrevocable Standby Letter of Credit.

RESPECTFULLY SUBMITTED this 5th day of October 2009.

By Timothy J. Sabo

Michael W. Patten
Timothy J. Sabo
ROSHKA DeWULF & PATTEN
One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004
(602) 256-6100

Arizona Corporation Commission
RECEIVED

OCT 5 2009
BY [Signature]

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1 ORIGINAL + 13 COPIES of the foregoing
2 filed October 5th, 2009 with:

3 Docket Control
4 ARIZONA CORPORATION COMMISSION
5 1200 West Washington
6 Phoenix, Arizona 85007

7 COPIES of the foregoing hand-delivered/mailed
8 October 5th 2009 to:

9 Richard E. Brown
10 Access Point, Inc.
11 1100 Crescent Green, Suite 109
12 Cary, North Carolina 27518

13 Thomas M. Forte
14 Technologies Management, Inc.
15 2600 Maitland Boulevard, Suite 300
16 Maitland, Florida 32751

17 Lyn A. Farmer, Chief ALJ
18 Hearing Division
19 Arizona Corporation Commission
20 1200 West Washington
21 Phoenix, Arizona 85007

Janice Alward, Chief Counsel
Legal Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Steve Olea, Director
Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Brian Bozzo,
Manager of Compliance & Enforcement
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

22 By 
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Wachovia Bank, N.A.
Commercial Banking
NC3287
150 Fayetteville Street, Suite 600
Post Office Box 3008
Raleigh, NC 27602



WACHOVIA

October 2, 2009

Brian Bozzo
Manager of Compliance and Enforcement
Utilities Division
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

RE: Docket No. T-03446A-08-0055

Access Point, Inc. Pending Issuance of \$125,000 Irrevocable Standby Letter of Credit to Arizona Corporation Commission

Dear Mr. Bozzo:

This letter has been written to confirm Wachovia Bank's (a Wells Fargo company) intent to issue a \$125,000 Irrevocable Standby Letter of Credit, benefiting the Arizona Corporation Commission, on behalf of our client Access Point, Inc.

The extension of the \$125,000 Irrevocable Standby Letter of Credit has been formally approved by our Bank and documentation is currently in process. I anticipate the formal issuance of the Letter of Credit by early next week.

If you have any questions, please feel free to contact me at (919) 881-6486 or via email at michael.debender@wachovia.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael P. DeBender".

Michael P. DeBender
Senior Vice President
Cary Market President
Wachovia Bank, N.A.

cc: **Richard E. Brown – CEO / Access Point Inc.**