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BEFORE THE ARIZONA CORPORATION COMMISSION

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**COMMISSIONERS**  
GARY PIERCE- CHAIRMAN  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

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AZ CORP COMMISSION  
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Arizona Corporation Commission  
**DOCKETED**

DEC 20 2012



DOCKET NO. T-20821A-11-0385

IN THE MATTER OF THE APPLICATION OF )  
SPECTROTEL, INC. DBA ONETOUCH )  
COMMUNICATIONS DBA TOUCH BASE )  
COMMUNICATIONS FOR APPROVAL OF A )  
CERTIFICATE OF CONVENIENCE AND )  
NECESSITY TO PROVIDE RESOLD LONG )  
DISTANCE AND FACILITIES-BASED LOCAL )  
EXCHANGE TELECOMMUNICATIONS )  
SERVICES IN ARIZONA. )

**POST-HEARING BRIEF AND  
CLARIFICATION OF  
AUTHORITY REQUESTED**

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Spectrotel, Inc. dba OneTouch Communications dba Touch Base Communications ("Spectrotel") hereby files a post-hearing brief clarifying the authority it is requesting in this docket.

The application in this docket requested a competitive telecommunications certificate of convenience and necessity to provide: (i) facilities based local exchange service; (ii) resold long distance and (iii) switched access services. The Staff Report in the docket recommended approval of the application.

At the hearing, Spectrotel testified that it would have no facilities in Arizona and that it intended to provide resold local exchange service (through the resale of CenturyLink service). Therefore, it amended its request for authority to: (i) resold local exchange service and (ii) resold long distance. Staff agreed that Spectrotel was qualified to provide resold local exchange service and supported the grant of resold local exchange authority.

Subsequent to the hearing, Spectrotel's witness determined that Spectrotel would "resell" CenturyLink's local exchange service in two ways. First, it would simply resell the entire CenturyLink service, which entails buying the entire service from CenturyLink at a wholesale

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1 discount. Second, it would obtain from CenturyLink what is known as the Unbundled Network  
2 Element-Platform product from CenturyLink, which is typically known as UNE-P. Under UNE-  
3 P, Spectrotel leases from CenturyLink all the underlying network elements used to provide  
4 telecommunications service and then has CenturyLink combine those elements to allow Spectrotel  
5 to provide service. Although the end result is not materially different from pure resale (and  
6 Spectrotel will not own any facilities in Arizona using UNE-P), the process of obtaining the  
7 service from CenturyLink is somewhat different. Significantly, providing local exchange service  
8 using UNE-P requires facilities-based local exchange authority from the Arizona Corporation  
9 Commission ("Commission").

10 As a result, and in order to meet the Commission's requirements, Spectrotel needs both  
11 facilities-based local exchange and resold local exchange authority. Therefore Spectrotel  
12 respectfully requests that the Commission grant it the following authority in this docket:

- 13 1. Facilities Based Local Exchange Telecommunications Services;
- 14 2. Resold Local Exchange Telecommunications Services;
- 15 3. Resold Long Distance Telecommunications Services; and
- 16 4. Switched Access Services

17 Spectrotel recognizes that the bond/letter of credit requirements for this requested authority would  
18 increase to \$135,000 and that the bond/letter of credit should be increased in increments of  
19 \$67,500 when the total amount of advances/deposits is within \$13,500 of the bond/letter of credit  
20 amount. Spectrotel agrees to that requirement.<sup>1</sup>

21 Finally, Spectrotel has discussed the above request for authority with Staff and understands  
22 that Staff supports the request.

23 WHEREFORE: Spectrotel requests that the Commission grant Spectrotel a Certificate of  
24 Convenience and Necessity for:

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<sup>1</sup> Attached as Exhibit A-3 is an affidavit of Elena Mondini confirming this information and attaching the proposed Switched Access Tariff. Spectrotel requests that the record include this exhibit as a late-filed exhibit.

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1. Facilities Based Local Exchange Telecommunications Services;
2. Resold Local Exchange Telecommunications Services;
3. Resold Long Distance Telecommunications Services; and
4. Switched Access Services

RESPECTFULLY SUBMITTED this 20<sup>th</sup> day of December 2012.

ROSHKA DEWULF & PATTEN, PLC

By   
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400 East Van Buren Street, Suite 800  
Phoenix, Arizona 85004

Attorneys for Spectrotel, Inc.

Original and 13 copies of the foregoing  
filed this 20<sup>th</sup> day of December 2012 with:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Copy of the foregoing hand-delivered/mailed  
this 20<sup>th</sup> day of December 2012 to:

Yvette Kinsey, Esq.  
Administrative Law Judge  
Hearing Division  
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Steve Olea  
Director, Utilities Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

By Mary Appolite

# EXHIBIT

A-3

BEFORE THE ARIZONA CORPORATION COMMISSION

**COMMISSIONERS**

GARY PIERCE- CHAIRMAN  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

IN THE MATTER OF THE APPLICATION OF ) DOCKET NO. T-20821A-11-0385  
SPECTROTEL, INC. DBA ONETOUCH )  
COMMUNICATIONS DBA TOUCH BASE )  
COMMUNICATIONS FOR APPROVAL OF A ) **AFFIDAVIT OF ELENA MONDINI**  
CERTIFICATE OF CONVENIENCE AND )  
NECESSITY TO PROVIDE RESOLD LONG )  
DISTANCE AND FACILITIES-BASED LOCAL )  
EXCHANGE TELECOMMUNICATIONS )  
SERVICES IN ARIZONA. )

STATE OF NEW JERSEY )

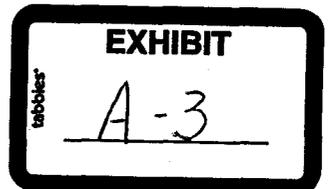
MONMOUTH COUNTY )

I, Elena Mondini, state as follows:

1. I am the [title] of Spectrotel, Inc. I appeared as the Company's witness at the hearing in this docket on December 14, 2012.

2. At the hearing, I testified that Spectrotel would provide telecommunications service in Arizona by reselling CenturyLink service. Therefore, the Company requested that Spectrotel be granted authority to provide resold local exchange telecommunications services in Arizona.

3. Subsequent to the hearing, I confirmed that Spectrotel would also provide telecommunications services in Arizona using CenturyLink's unbundled network element-platform ("UNE-P") product. Although the provision of service through UNE-P does not require Spectrotel to own facilities in Arizona, Spectrotel will effectively "lease" CenturyLink facilities



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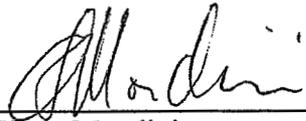
1 and this requires facilities-based local exchange authority from the Arizona Corporation  
2 Commission ("Commission").

3 4. In order to ensure the Company meets the Commission's requirements, Spectrotel  
4 clarifies its request for authority and seeks:

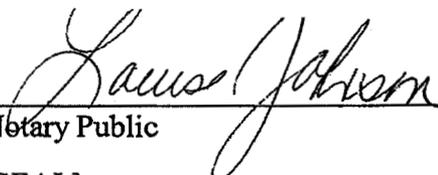
- 5 1. Facilities Based Local Exchange Telecommunications Services;  
6 2. Resold Local Exchange Telecommunications Services;  
7 3. Resold Long Distance Telecommunications Services; and  
8 4. Switched Access Services

9 5. Spectrotel understands that the required bond for this requested authority is  
10 \$135,000 and hereby agrees to that requirement.

11 6. The proposed Switched Access Tariff that had been previously provided to Staff is  
12 attached as Exhibit EM-1.

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14 \_\_\_\_\_  
15 Elena Mondini

16 SUBSCRIBED AND SWORN BEFORE ME THIS 18<sup>th</sup> day of December 2012

17  
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19 \_\_\_\_\_  
20 Notary Public  
21 [SEAL]

22  
23 Louise Johnson :  
24 Notary Public of New Jersey  
25 My commission expires: My Commission Expires July 10, 2015

26  
27 7/10/2015