



0000148763

OPEN MEETING AGENDA ITEM

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

BOB STUMP  
Chairman

2013 OCT -4 P 4:41

ORIGINAL

GARY PIERCE  
Commissioner

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

BRENDA BURNS  
Commissioner

DOCKETED

SUSAN BITTER SMITH  
Commissioner

OCT 04 2013

BOB BURNS  
Commissioner

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF ) DOCKET NOS. T-20882A-13-0108  
TNCI OPERATING COMPANY LLC FOR )  
APPROVAL OF A CERTIFICATE OF )  
CONVENIENCE AND NECESSITY TO )  
PROVIDE RESOLD AND FACILITIES-BASED )  
LONG DISTANCE AND LOCAL EXCHANGE )  
TELECOMMUNICATIONS SERVICES AND )  
SWITCHED ACCESS AND PRIVATE LINE )  
TELECOMMUNICATIONS SERVICES )

RESPONSE TO RECOMMENDED OPINION OR ORDER

Applicant has received and reviewed the Recommended Opinion and Order (“ROO”) filed in this matter on October 1, 2013. Applicant does not have any exceptions to file with respect to the ROO, which recommends granting Applicant a CC&N. Applicant, however, would like to highlight Staff’s revised performance bond policy, which currently only “requires a bond in instances where the company has issues associated with either its managerial or technical abilities to provide its proposed services in Arizona.” ROO at ¶18. And, in the case of Applicant, “Staff recommends that there be no performance bond in this matter.” *Id.* Applicant concurs with Staff’s assessment that it is not necessary for Applicant to provide a performance bond. As stated in the Application, however, Applicant is willing to provide a performance bond should the Commission adopt the recommendation as filed.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

RESPECTFULLY SUBMITTED this 4th day of October, 2013.

LEWIS ROCA ROTHGERBER LLP



---

Michael T. Hallam  
40 North Central Avenue  
Phoenix, AZ 85004  
Attorneys for TNCI Operating Company

ORIGINAL and thirteen (13) copies  
of the foregoing filed this 4th day  
of October, 2013, with:

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

Copy of the foregoing hand-delivered  
this 4th day of October, 2013, to:

Yvette Kinsey, Esq.  
Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Matthew Laudone, Esq.  
Legal Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Mr. Steven M. Olea, Director  
Utilities Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

---

