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BEFORE THE ARIZONA CORPORATION COMMISSION

SUSAN BITTER SMITH  
Chairman  
BOB STUMP  
Commissioner  
BOB BURNS  
Commissioner  
DOUG LITTLE  
Commissioner  
TOM FORESE  
Commissioner

Arizona Corporation Commission

DOCKETED

MAY 19 2015

DOCKETED BY *[Signature]*

IN THE MATTER OF THE APPLICATION  
OF MERCURY VOICE & DATA, LLC FOR  
APPROVAL OF RESCISSION OF THE  
BOND REQUIREMENT CONTAINED IN  
ACC DECISION NO. 71480.

DOCKET NO. T-20613A-15-0082

DECISION NO. 75103

ORDER

Open Meeting  
May 12 and 13, 2015  
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On March 6, 2015, Mercury Voice & Data, LLC dba SuddenLink Communications ("Mercury" or "Applicant") submitted an Application requesting rescission of the \$225,000 performance bond requirement contained in Decision No. 71480.

**Background**

2. On February 3, 2010, in Decision No. 71480, the Arizona Corporation Commission ("Commission") ordered Mercury to procure and file proof of a performance bond equal to \$225,000. Mercury submitted an original performance bond in the amount of \$225,000 and an original general surety rider, each with an effective date of April 29, 2010, to the Commission's Business Office. Staff has confirmed that the Business Office is in possession of the original documents along with original replacement bonds, and the last replacement bond containing an effective date of April 1, 2015 which is due to expire on June 1, 2015.

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1 **Compliance**

2 3. According to the Corporations Division, Mercury is in good standing. The Consumer  
3 Services Section of the Utilities Division reports there have been no complaints or opinions filed  
4 regarding Mercury for the period of 2012 through 2015. A check of the Compliance Database by the  
5 Compliance Section of the Utilities Division indicates there are no delinquencies for Mercury;  
6 therefore Mercury is currently in compliance.

7 **Staff Recommendations**

8 4. The Commission has, in appropriate circumstances, relieved telecommunications  
9 providers of the obligation to maintain a performance bond. Staff recommends Mercury be relieved  
10 of the \$225,000 performance bond obligation contained in Decision No. 71480.

11 5. The Applicant states that, in order to release the performance bond and associated  
12 documents, it is sufficient for the Commission to include in an ordering paragraph language  
13 authorizing the Applicant to cancel, rescind, discontinue and be released from the performance bond  
14 required by Decision No. 71480.

15 6. Mercury indicates in its Application, that the current bond and all associated  
16 documents should be returned to the following name and address:

17 Mr. Laszlo S. Lerant  
18 Mercury Voice & Data, LLC dba Suddenlink  
19 520 Maryville Centre Drive, Suite 300  
St. Louis, MO 63141

20 CONCLUSIONS OF LAW

21 1. Mercury Voice & Data, LLC dba SuddenLink Communications is a public service  
22 corporation within the meaning of Article XV of the Arizona Constitution.

23 2. The Commission has jurisdiction over Mercury Voice & Data, LLC dba SuddenLink  
24 Communications and the subject matter in this filing.

25 3. The Commission, having reviewed the filing and Staff's Memorandum dated April 22,  
26 2015, concludes that it is in the public interest to approve the Mercury Voice & Data, LLC dba  
27 SuddenLink Communications Application as proposed and discussed herein.

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ORDER

IT IS THEREFORE ORDERED that the Application of Mercury Voice & Data, LLC dba SuddenLink Communications to terminate the performance bond requirement contained in Decision No. 71480 be and hereby is approved.

IT IS FURTHER ORDERED that Mercury Voice & Data, LLC dba SuddenLink Communications may cancel, rescind, discontinue and be released from any performance bond or other instrument obtained in compliance with the performance bond requirements set by Decision No. 71480.

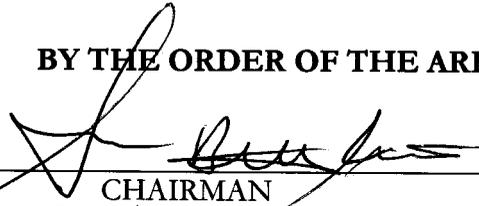
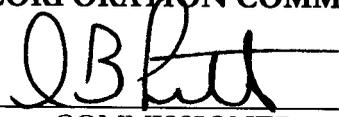
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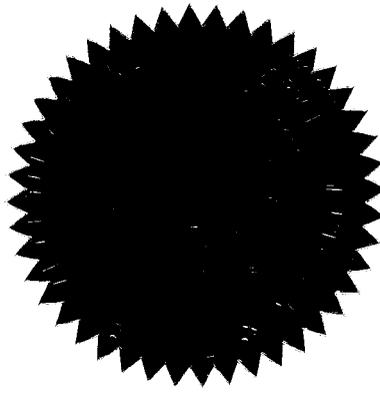
1 IT IS FURTHER ORDERED that all bond related documents, including the original  
 2 performance bonds, original surety rider, and associated documents on file with the Commission  
 3 Business Office on behalf of Mercury Voice & Data, LLC dba SuddenLink Communications, be  
 4 released and returned to the following name and address provided by the Applicant:

5 Mr. Laszlo S. Lerant  
 6 Mercury Voice & Data, LLC dba Suddenlink  
 7 520 Maryville Centre Drive, Suite 300  
 8 St. Louis, MO 63141

9 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

10 BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

11  CHAIRMAN  COMMISSIONER  
 12  
 13  COMMISSIONER  COMMISSIONER  COMMISSIONER  
 14  
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16 IN WITNESS WHEREOF, I, JODI JERICH, Executive  
 17 Director of the Arizona Corporation Commission, have  
 18 hereunto, set my hand and caused the official seal of this  
 19 Commission to be affixed at the Capitol, in the City of  
 20 Phoenix, this 19th day of May, 2015.

21   
 22 JODI JERICH  
 23 EXECUTIVE DIRECTOR

24 DISSENT: \_\_\_\_\_

25 DISSENT: \_\_\_\_\_

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1 SERVICE LIST FOR: Mercury Voice & Data, LLC dba SuddenLink Communications  
2 DOCKET NO. T-20613A-15-0082

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4 Attorney for Mercury Voice & Data, LLC  
5 dba SuddenLink Communications  
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9 Mr. Steven M. Olea  
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19 Ms. Lyn Farmer  
20 Chief Administrative Law Judge  
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