

CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER



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ARIZONA CORPORATION COMMISSION

DATE: DECEMBER 3, 1999

DOCKET NO: T-02829A-99-0602

TO ALL PARTIES:

Enclosed please find the recommendation of Hearing Officer Karen Nally. The recommendation has been filed in the form of an Order on:

RICHARD KIDMAN dba R & L COMMUNICATIONS
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Hearing Officer by filing an original and ten (10) copies of the exceptions with the Commission's Docket Control at the address listed below by **10:00** a.m. on or before:

DECEMBER 13, 1999

The enclosed is NOT an order of the Commission, but a recommendation of the Hearing Officer to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Working Session and Open Meeting to be held on:

JANUARY 5, 2000 and JANUARY 6, 2000

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250.


BRIAN C. McNEEL
EXECUTIVE SECRETARY

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 CARL J. KUNASEK
CHAIRMAN
3 JIM IRVIN
COMMISSIONER
4 WILLIAM A. MUNDELL
COMMISSIONER

5
6 IN THE MATTER OF THE APPLICATION OF
RICHARD KIDMAN DBA R & L
COMMUNICATIONS FOR THE
7 CANCELLATION OF THE CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
8 CUSTOMER-OWNED PAY TELEPHONE
SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-02829A-99-0602

DECISION NO. _____

9 **ORDER**

10 Open Meeting
January 5 and 6, 2000
Phoenix, Arizona

11 **BY THE COMMISSION:**

12 Having considered the entire record herein and being fully advised in the premises, the
13 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

14 **FINDINGS OF FACT**

- 15 1. Richard Kidman dba R & L Communications ("Applicant") has a Certificate of
16 Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT")
17 service in the State of Arizona pursuant to Decision No. 59002 (February 24, 1995).
18 2. On October 21, 1999, Applicant filed an application for approval of the cancellation of
19 the Certificate.
20 3. In Decision No. 55817 (December 10, 1987), the Commission found that COPT
21 providers were public service corporations subject to the jurisdiction of the Commission.
22 4. Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to
23 regulate COPT providers.
24 5. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes
25 rates and minimum service standards applicable to COPT service.
26 6. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT
27 Certificates without a hearing.
28

1 IT IS THEREFORE ORDERED that the application of Richard Kidman dba R & L
2 Communications for the cancellation of the Certificate to provide customer-owned pay telephone
3 service shall be, and is hereby, approved.

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

5 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.
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7

8 CHAIRMAN COMMISSIONER COMMISSIONER
9

10
11 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
12 Secretary of the Arizona Corporation Commission, have
13 hereunto set my hand and caused the official seal of the
14 Commission to be affixed at the Capitol, in the City of Phoenix,
15 this ____ day of _____, 2000.

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17 _____
18 BRIAN C. McNEIL
19 EXECUTIVE SECRETARY

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1 SERVICE LIST FOR: RICHARD KIDMAN DBA R & L
2 COMMUNICATIONS

3 DOCKET NO. T-02829A-99-0602

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