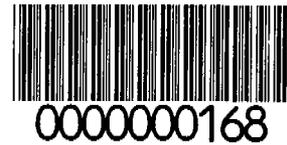


CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER



ARIZONA CORPORATION COMMISSION

DATE: DECEMBER 3, 1999

DOCKET NO: T-03218A-99-0575

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:

MICHAEL MARCOS dba M & L COMMUNICATIONS
(CANCEL CC&N)

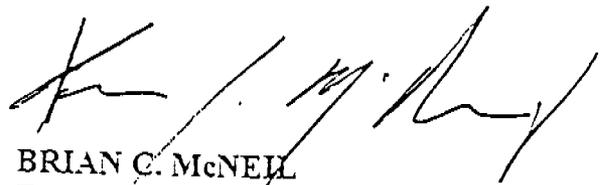
Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Hearing Officer by filing an original and ten (10) copies of the exceptions with the Commission's Docket Control at the address listed below by 10:00 a.m. on or before:

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. McNEIL
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
MICHAEL MARCOS DBA M & L
7 COMMUNICATIONS FOR THE
CANCELLATION OF THE CERTIFICATE OF
8 CONVENIENCE AND NECESSITY TO PROVIDE
CUSTOMER-OWNED PAY TELEPHONE
9 SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-03218A-99-0575

DECISION NO. _____

ORDER

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

BY THE COMMISSION:

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

FINDINGS OF FACT

15
16 1. Michael Marcos dba M & L Communications ("Applicant") has a Certificate of
17 Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT")
18 service in the State of Arizona pursuant to Decision No. 59890 (November 26, 1996).

19 2. On October 18, 1999, Applicant filed an application for approval of the cancellation of
20 the Certificate.

21 3. In Decision No. 55817 (December 10, 1987), the Commission found that COPT
22 providers were public service corporations subject to the jurisdiction of the Commission.

23 4. Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to
24 regulate COPT providers.

25 5. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes
26 rates and minimum service standards applicable to COPT service.

27 6. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT
28 Certificates without a hearing.

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IT IS THEREFORE ORDERED that the application of Michael Marcos dba M & L Communications for the cancellation of the Certificate to provide customer-owned pay telephone service shall be, and is hereby, approved.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

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

BRIAN C. McNEIL
EXECUTIVE SECRETARY

DISSENT _____
KEN:bbs

1 SERVICE LIST FOR:

MICHAEL MARCOS DBA M & L
COMMUNICATIONS

2

3 DOCKET NO.

T-03218A-99-0575

4 Michael Marcos
5 M & L COMMUNICATIONS
6 4972 W. Kesler Lane
Chandler, Arizona 85526

7 Lyn Farmer, Chief Counsel
8 Legal Division
9 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

10 Deborah Scott, Director
11 Utilities Division
12 ARIZONA CORPORATION COMMISSION
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