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BEFORE THE ARIZONA CORPORATION

WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

IN THE MATTER OF THE APPLICATION OF LA  
ROBERT AND GINGER DEBENEDETTO FOR A  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE CUSTOMER-OWNED  
PAY TELEPHONE SERVICE IN THE STATE OF  
ARIZONA.

DOCKET NO. T-03921A-00-0641

DECISION NO. 63531  
Arizona Corporation Commission

**ORDER** DOCKETED

MAR 30 2001

Open Meeting  
March 27 and 28, 2001  
Phoenix, Arizona

DOCKETED BY JK

**BY THE COMMISSION:**

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

**FINDINGS OF FACT**

1. On August 30, 2000, Robert and Ginger DeBenedetto ("Applicant") filed with the Commission an application for a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona.

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

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

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

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

6. Applicant has requested that a Certificate be granted and has indicated that it will provide COPT service pursuant to the rates, terms and conditions specified in the Generic COPT Tariff.



1 be adopted.

2 **ORDER**

3 IT IS THEREFORE ORDERED that the application of Robert and Ginger DeBenedetto for a  
4 Certificate of Convenience and Necessity to provide customer-owned pay telephone service shall be,  
5 and is hereby, approved, conditioned upon Robert and Ginger DeBenedetto filing a customer  
6 information placard approved by the Director of the Utilities Division for compliance with the  
7 requirements of the Generic COPT Tariff within 60 days of the effective date of this Decision.

8 IT IS FURTHER ORDERED that Robert and Ginger DeBenedetto shall comply with the  
9 terms of the Generic COPT Tariff, unless otherwise ordered by the Commission.

10 IT IS FURTHER ORDERED that Robert and Ginger DeBenedetto shall file the following  
11 FVRB information within 18 months of the date that they first provide service. The FVRB shall  
12 include a dollar amount representing the total revenue for the first twelve months of  
13 telecommunications service provided to Arizona customers by Robert and Ginger DeBenedetto  
14 following certification, adjusted to reflect the maximum rates that Robert and Ginger DeBenedetto  
15 requests in its tariff. This adjusted total revenue figure could be calculated as the number of units  
16 sold for all services offered times the maximum charge per unit. Robert and Ginger DeBenedetto  
17 shall also file FVRB information detailing the total actual operating expenses for the first twelve  
18 months of telecommunications service provided to Arizona customers by Robert and Ginger  
19 DeBenedetto following certification. Robert and Ginger DeBenedetto shall also file FVRB  
20 information which includes a description and value of all assets, including plant, equipment, and  
21 office supplies to be used to provide telecommunications service to Arizona customers for the first  
22 twelve months following Robert and Ginger DeBenedetto's certification.

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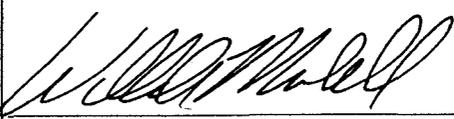
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IT IS FURTHER ORDERED that within 90 days of the effective date of this Decision, Robert and Ginger DeBenedetto shall notify the Compliance Section of the Arizona Corporation Commission of the date that it will begin or has begun providing service to Arizona customers.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.



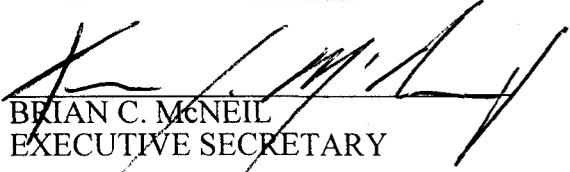
CHAIRMAN

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 3<sup>rd</sup> day of March 2001.

  
BRIAN C. McNEIL  
EXECUTIVE SECRETARY

DISSENT \_\_\_\_\_  
AG:dap

1 SERVICE LIST FOR: ROBERT AND GINGER DEBENEDETTO

2 DOCKET NO. T-03921A-00-0641

3  
4 Robert and Ginger DeBenedetto  
5 5756 Bernstein Drive  
6 Bullhead City, Arizona 86426

7 Christopher Kempley, Chief Counsel  
8 Legal Division  
9 ARIZONA CORPORATION COMMISSION  
10 1200 West Washington Street  
11 Phoenix, AZ 85007

12 Deborah Scott, Director  
13 Utilities Division  
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