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N MEETING ITEM



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COPT-21

BRIAN C. McNEIL  
EXECUTIVE SECRETARY

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ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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MAR 14 2001

DATE: March 14, 2001  
DOCKET NO: T-03940/A-00-0773  
TO ALL PARTIES:

DOCKETED BY *Nac*

Enclosed please find the recommendation of Administrative Law Judge Alicia Grantham. The recommendation has been filed in the form of an Order on:

JULIO C. TANABE  
(CC&N/COPT)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and ten (10) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

MARCH 23, 2001

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

MARCH 27, 2001 and MARCH 28, 2001

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 WILLIAM A. MUNDELL  
CHAIRMAN  
3 JIM IRVIN  
COMMISSIONER  
4 MARC SPITZER  
COMMISSIONER  
5

6 IN THE MATTER OF THE APPLICATION OF  
7 JULIO C. TANABE FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
8 CUSTOMER-OWNED PAY TELEPHONE  
SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-0394/A-00-0773

DECISION NO. \_\_\_\_\_

**ORDER**

9 Open Meeting  
10 March 27 and 28, 2001  
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. On October 2, 2000, Julio C. Tanabe ("Applicant") filed with the Commission an  
16 application for a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned  
17 pay telephone ("COPT") service in the State of Arizona.

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

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

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

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

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



1 be adopted.

2 **ORDER**

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

8 IT IS FURTHER ORDERED that Julio C. Tanabe shall comply with the terms of the Generic  
9 COPT Tariff, unless otherwise ordered by the Commission.

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

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1 SERVICE LIST FOR:

JULIO C. TANABE

2 DOCKET NO.

T-03940A-00-0773

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