



0000013551

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

DEC 03 2004

DOCKETED BY NR

21G
00

COMMISSIONERS

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

IN THE MATTER OF THE APPLICATION OF
OCMC, INC. TO OBTAIN A CERTIFICATE OF
CONVENIENCE AND NECESSITY FROM ONE
CALL COMMUNICATIONS, INC. DBA
OPTICOM TO PROVIDE
TELECOMMUNICATIONS SERVICES AS A
PROVIDER OF RESOLD INTEREXCHANGE
SERVICES AND ALTERNATIVE OPERATOR
SERVICES WITHIN THE STATE OF ARIZONA.

DOCKET NO. T-04103A-02-0274
DOCKET NO. T-02565A-02-0274

DECISION NO. 67444

OPINION AND ORDER

DATE OF HEARING: September 20, 2004
PLACE OF HEARING: Phoenix, Arizona
ADMINISTRATIVE LAW JUDGE: Amanda Pope
APPEARANCES: Michael T. Hallam, LEWIS AND ROCA, LLP, on behalf of OCMC, Inc.; and
Timothy J. Sabo, Staff Attorney, Legal Division, on behalf of the Utilities Division of the Arizona Corporation Commission.

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On July 15, 2002, OCMC, Inc. ("OCMC" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("CC&N" or "Certificate") to provide resold interexchange services and alternative operator services ("AOS") in the State of Arizona ("Application").¹ As part of the Application, OCMC requested a transfer of One Call Communications, Inc. dba Opticom's ("Opticom") existing

¹ On April 9, 2003, OCMC filed an application for a CC&N to provide resold interexchange services. On July 15, 2002, OCMC filed an amendment to its application additionally requesting a CC&N to provide AOS services.

1 CC&N to provide resold interexchange services and alternative operator services in the State of
2 Arizona.

3 2. Opticom, an Indiana corporation authorized to do business in Arizona since 1990, was
4 authorized to provide competitive resold interexchange telecommunications services to customers in
5 Arizona pursuant to a CC&N granted by the Commission in Decision No. 60106 (March 19, 1997)
6 and AOS to customers in Arizona pursuant to a CC&N granted by the Commission in Decision No.
7 61274 (December 14, 1998).

8 3. On or about January 10, 2002, OCMC was formed by the management of Opticom
9 and was utilized to purchase the assets of One Call Communications, Inc., including the right to use
10 the name One Call Communications, Inc. and its various trade names including, but not limited to,
11 Opticom.

12 4. On September 20, 2002, the Commission's Utilities Division Staff ("Staff") filed its
13 Staff Report recommending approval of the transfer of Opticom's existing CC&N to OCMC subject
14 to certain conditions.

15 5. On September 24, 2002, Staff filed a Motion for Stay of Proceedings. In its Motion,
16 Staff stated that the Federal Communications Commission ("FCC") issued a "Notice of Apparent
17 Liability for Forfeiture" ("NAL") to OCMC. Staff was unaware of this proceeding and requested that
18 the proceeding in this docket be stayed so that Staff could conduct further discovery regarding the
19 NAL.

20 6. By Procedural Order dated October 15, 2002, Staff's Motion for Stay was granted and
21 the time clock provisions of Arizona Administrative Code ("A.A.C.") R14-2-510(E) were stayed to
22 permit Staff additional time to conduct further discover.

23 7. On January 8, 2004, OCMC filed a Motion to Lift Stay and Notice of Substitution of
24 Counsel. In the Motion, OCMC stated that it entered into a Consent Decree with the FCC, which
25 resolved all issues relating to the NAL and terminated the FCC's investigation. Additionally,
26 OCMC's Motion indicated that the FCC consented to its acquisition of the assets of One Call
27 Communications, Inc.

28

1 8. By Procedural Order dated January 26, 2004, OCMC's Motion to Lift Stay was
2 granted, and Staff was ordered to file an Amended Staff Report providing: (1) Staff's
3 recommendations in light of the information contained in OCMC's January 8, 2004 filing; and (2)
4 Staff's position with regard to whether the underlying asset transfer is subject to the provisions of
5 Arizona Revised Statutes ("A.R.S.") § 40-285.

6 9. On February 25, 2004, Staff filed its amended Staff Report recommending conditional
7 approval of the Application without a hearing pursuant to A.R.S. § 40-282. In the amended Staff
8 Report, Staff verified that the transfer of assets from One Call Communications, Inc. to OCMC is not
9 subject to A.R.S. § 40-285 because no known physical or hard assets were transferred to OCMC, yet
10 Staff additionally recommended retroactive approval of the sale and transfer of assets for the same
11 transaction.

12 10. On March 15, 2004, a Procedural Order was issued setting this matter for hearing to
13 clarify the extent to which the underlying transaction is subject to the provisions of A.R.S. § 40-285.

14 11. On March 23, 2004, Staff filed a Motion to Vacate Hearing, which indicated that
15 Staff's recommendation for retroactive approval was included in error and that approval in
16 accordance with A.R.S. § 40-285 is not necessary given the lack of physical assets.

17 12. By Procedural Order dated March 26, 2004, the hearing set for April 6, 2004 was
18 vacated.

19 13. On March 26, 2004, OCMC filed a Verified Amendment to Application and Response
20 to Motion to Vacate Hearing ("Amended Application"). By its Amendment, OCMC requested a
21 waiver pursuant to A.A.C. R14-2-1006 to allow it to complete zero-minus calls,² including
22 emergency calls, over OCMC's telecommunications network.

23 14. On April 26, 2004, Staff filed an amended Staff Report ("Final Amended Staff
24 Report"), which continued to recommend approval of OCMC's application for a CC&N to provide
25 resold interexchange services and AOS subject to certain conditions yet recommended denial of
26
27
28

1 OCMC's waiver request based its failure to provide comparative data for the local exchange carrier
2 as required by A.A.C. R14-2-1006.B.

3 15. On May 12, 2004, OCMC filed its Verified Response to Staff Report arguing that
4 OCMC has provided sufficient information for the Commission to grant a waiver pursuant to A.A.C.
5 R14-2-1006. OCMC argued that should it be determined, however, that OCMC has failed to provide
6 the requisite data relating to the LEC's processing of such calls, a waiver of such a requirement is in
7 the public interest pursuant to A.A.C. R14-2-1014. Finally, OCMC argued that if additional
8 information relating to the LEC is required and that a waiver of such requirement is not in the public
9 interest, it should be granted the opportunity to work with Commission Staff to provide the necessary
10 information to support its request for a waiver pursuant to A.A.C. R14-2-1006.
11

12 16. By Procedural Order dated May 24, 2004, OCMC was granted 60 days in which it was
13 ordered to continue to work with Staff to gather and provide the information required pursuant to
14 A.A.C. R14-2-1006.B relating to the manner in which the LEC provides zero-minus calls, Staff was
15 ordered to file a response thereto at the expiration of the 60 days, and the timeclock provisions for
16 processing the Application were stayed.
17

18 17. On July 23, 2004, Staff filed a Motion to Extend Due Date for Staff Report, which
19 requested an additional 30 days in which to file its response. Staff indicated that the extension was
20 necessitated by the fact that it had not received responses to the data requests sent to Qwest
21 Corporation, Inc. and OCMC.
22

23 18. A Procedural Order was issued on July 26, 2004 granting Staff's Motion to Extend
24 Due Date for Staff Report and extending the stay of the timeclock provisions.
25

26 19. On August 23, 2004, Staff filed its Supplemental Staff Report, which specifically
27

28 ² The term "zero-minus" call refers to those calls in which an individual dials "0" and waits for the operator to assist in completing the call.

1 addressed OCMC's ability to process zero-minus calls with equal quickness and accuracy as provided
2 by the LEC based upon data obtained by Staff from both OCMC and Qwest.

3 20. According to the Supplemental Staff Report, OCMC is capable of providing zero-
4 minus calls at a level of accuracy and reliability that is equal to that provided by Qwest, yet OCMC
5 has not, in fulfillment of the standard set forth in A.A.C. R14-2-1006.B, clearly and convincingly
6 demonstrated that it has the capability to process zero minus calls as quickly as Qwest.
7 Consequently, Staff recommended denial of OCMC's waiver request.

8
9 21. On August 26, 2004, OCMC filed a letter indicating that it is working to determine if
10 it has any additional data that would allow Staff to make the required comparison of call processing
11 times.

12 22. By Procedural Order dated August 30, 2004, a hearing was set for September 20, 2004
13 to discuss the adequacy of the information provided by OCMC and the standard to be met in granting
14 a waiver of the zero-minus rules.

15
16 23. The hearing was held as scheduled on September 20, 2004 and was limited in scope to
17 the issue of whether OCMC is able to process zero-minus calls with equal quickness as provided by
18 Qwest. Staff and OCMC entered an appearance through counsel. Mr. David Hill testified
19 telephonically on behalf of OCMC, and Mr. Del Smith testified on behalf of Staff.

20 24. At the hearing, Mr. Hill testified that OCMC's responses to Staff's data requests,
21 which focused primarily on call processing times for zero-minus emergency calls, were limited given
22 the fact that it does not maintain data related solely to its zero-minus emergency call processing
23 times.

24
25 25. Mr. Hill further testified that OCMC does, however, maintain more specific data with
26 regard to processing times for zero-minus calls in general.

27 26. Mr. Smith testified that the information provided by OCMC relating to its call
28

1 processing times was subjective and not comparable to that provided by Qwest and therefore, did not
 2 provide a basis for an objective comparison by which a waiver of the zero-minus rules could be
 3 granted.³

4 27. Mr. Smith further testified, however, that it was unclear in all circumstances that the
 5 information provided by Qwest specifically related to its zero-minus emergency call times rather than
 6 to its zero-minus call times in general and that he does not believe that Qwest tracks and maintains
 7 data specifically related to its processing of zero-minus emergency calls.

8 28. A Procedural Order was issued on September 20, 2004 holding the record open and
 9 ordering OCMC to provide any and all statistical data relating to OCMC's zero-minus call processing
 10 times in general on or before October 4, 2004 and ordering Staff to respond thereto on or before
 11 October 19, 2004.

12 29. On October 4, 2004, OCMC submitted call processing time data to the Commission's
 13 Legal and Utilities Divisions in response to the Procedural Order dated September 20, 2004.
 14 Specifically, OCMC indicated that the average call processing time for the caller to be connected
 15 with a live operator is 10 seconds. OCMC further indicated that the average call processing time for
 16 the caller to be connected with an emergency service provider is 44.6 seconds but noted that this data
 17 includes call processing times for collect, billed to third party, calling and travel cards.

18 30. On October 19, 2004, Staff filed a Memorandum in response to OCMC's October 4,
 19 2004 filing, which (1) clarified that the data previously provided by Qwest, and summarized in
 20
 21
 22

23 ³ In his testimony and August 23, 2004 Supplemental Staff Report, Mr. Smith summarized the call processing time data
 24 provided by OCMC and Qwest as follows:

	OCMC	Qwest
Average call processing time, in seconds, from the time the caller has dialed zero to the time the caller is connected with a live operator	≤10	7.9-9.6
Average call processing time, in seconds, from the time the live operator is connected to the caller to the time the caller is connected with the emergency service provider	Time varies	25
Operator average work time in seconds	Not provided	25
Total average call processing time in seconds	<60	32.9-34.6

1 Staff's August 23, 2004 Supplemental Staff Report, included not only zero-minus emergency calls
 2 but also included alternatively billed calls requiring operator assistance such as dialing instructions,
 3 time of day, etc.; (2) confirmed that the data provided by OCMC on October 4, 2004, as with that
 4 originally provided and summarized in Staff's August 23, 2004 Staff Report, included not only zero-
 5 minus emergency calls but also included zero-plus calls, such as collect, billed to third party, calling
 6 card, and travel card calls; (3) concluded that the call processing times provided by OCMC's October
 7 4, 2004 filing and Qwest's original response to Staff's data requests represent a reasonable
 8 comparison; (4) compared the call processing times and concluded that based upon the comparison
 9 made, OCMC is unable to process its zero minus calls with equal quickness as provided by Qwest;⁴
 10 and (5) recommended that OCMC's waiver request be denied.

12 31. According to the Final Amended Staff Report, OCMC provides resold interexchange
 13 services and AOS in the District of Columbia and twenty-one other states⁵ and has the technical
 14 capability to provide the proposed services. According to Staff, in the event that OCMC encounters
 15 financial or technical difficulty, there should be minimal impact because customers and/or end users
 16 can access other interexchange and AOS service providers.

18 32. Staff stated that OCMC provided unaudited financial statements for the six month
 19 period ending June 30, 2002, which lists assets of \$41.7 million, equity of \$5 million, and a net
 20 income of \$785,863.

22 ⁴ Staff's Memorandum dated October 19, 2004 summarized the call processing time data provided by OCMC and Qwest
 23 as follows:

	OCMC	Qwest
Average call processing time from the time the caller has dialed zero to The time the caller is connected with a live operator	10	7.9-9.6
Average call processing time from the time the live operator is connected to the caller to the time the caller is connected with the emergency service provider	44.6	25
Total average call processing time	54.6	32.9-34.6

1 33. Based on the information obtained from OCMC, Staff determined that OCMC's fair
2 value rate base ("FVRB") is zero and is too small to be useful in a fair value analysis, and is not
3 useful in setting rates. Staff further stated that in general, rates for competitive services are not set
4 according to rate of return regulation, but are heavily influenced by the market. Staff recommended
5 that while it considered the fair value rate base information, it did not believe the information
6 deserved substantial weight in setting rates for OCMC.

7
8 34. Staff believes that OCMC has no market power and that the reasonableness of its
9 resold interexchange rates will be evaluated in a market with numerous competitors. In light of the
10 competitive market in which the Applicant will be providing its resold interexchange services, Staff
11 believes that the rates in Applicant's proposed resold interexchange tariffs for competitive services
12 will be just and reasonable and recommends that the Commission approve them.

13 35. The Commission adopted maximum rates for AOS in Decision No. 61274 (December
14 14, 1998), and these rates are reflected in Schedules 1 and 2 attached to the Final Amended Staff
15 Report. In its Final Amended Staff Report, Staff indicated that the proposed rates and charges, as set
16 forth in OCMC's tariff filing of June 10, 2002, for either interLATA or intraLATA telephone
17 services are identical to or less than the rates and service charges contained in Schedules 1 and 2, and
18 therefore, Staff believes that OCMC's proposed tariffs are reasonable and recommends that the
19 Commission approve them.
20

21 36. The Commission adopted A.A.C. R14-2-1006.A, which requires an AOS provider to
22 immediately route all zero-minus calls to the originating LEC. Pursuant to A.A.C. R14-2-1006.B,
23 however, an AOS provider may obtain a waiver of this requirement if the AOS provider is able to
24 clearly and convincingly demonstrate that it has the capability to process its zero-minus calls with
25

26
27 ⁵ In its January 8, 2004 filing, OCMC states that it has authority to provide service in 49 states and Puerto Rico, and
28 OCMC testified at the September 20, 2004 hearing that it has specific authority to provide zero-minus emergency call
completion and operator assisted services in 30 states.

1 equal quickness and accuracy as provided by the LEC. In its Memorandum dated October 19, 2004,
2 Staff indicated that OCMC has failed to clearly and convincingly demonstrate that it is capable of
3 processing its zero-minus calls with equal quickness as provided by Qwest, and therefore, Staff
4 recommended denial of OCMC's waiver request pursuant to A.A.C. R14-2-1006.B.

5 37. In its Final Amended Staff Report, Staff recommended:

- 6 (a) that Opticom follow all of the requirements, except publication of legal notice, as
7 outlined in A.A.C. R14-2-1107 within 90 days of a Decision in this matter;
- 8 (b) that Opticom should file with this Commission notice, which referenced this
9 Decision by number, that it has complied with A.A.C. R14-2-1107 within 90 days
10 of the date of this Decision; and
- 11 (c) should Opticom fail to docket proof that its retail customers received notification
12 that they may elect, within 90 days of receiving notice, to continue or discontinue
13 services with Opticom or a provider of their choice without prejudice or regard to
14 contractual obligation, this Application shall be deemed denied.

15 38. Staff recommended approval of OCMC's Application for a CC&N to provide resold
16 interexchange services and AOS subject to the following:

- 17 (a) The Applicant should be ordered to comply with all Commission rules, orders, and
18 other requirements relevant to the provision of intrastate telecommunications
19 service;
- 20 (b) The Applicant should be ordered to maintain its accounts and records as required
21 by the Commission;
- 22 (c) The Applicant should be ordered to file with the Commission all financial and
23 other reports that the Commission may require, and in a form and at such times as
24 the Commission may designate;
- 25 (d) The Applicant should be ordered to maintain on file with the Commission all
26 current tariffs and rates, and any service standards that the Commission may
27 require;
- 28 (e) The Applicant should be ordered to comply with the Commission's rules and
modify its tariffs to conform to these rules if it is determined that there is a conflict
between the Applicant's tariffs and the Commission's rules;
- (f) The Applicant should be ordered to cooperate with Commission investigations of
customer complaints;

- (g) The Applicant should be ordered to participate in and contribute to a universal service fund, as required by the Commission;
- (h) The Applicant should be ordered to notify the Commission immediately upon changes to the Applicant's address or telephone number;
- (i) The Applicant's intrastate interexchange service offerings should be classified as competitive pursuant to A.A.C. R14-2-1108;
- (j) The Applicant's maximum resold interexchange rates should be the maximum rates proposed by the Applicant in its proposed tariffs. The minimum rates for the Applicant's competitive services should be the Applicant's total service long run incremental costs of providing those services as set forth in A.A.C. R14-2-1109;
- (k) In the event that the Applicant states only one rate in its proposed tariff for a competitive service, the rate stated should be the effective (actual) price to be charged for the service as well as the service's maximum rate;
- (l) The Applicant is authorized to discount its AOS rates and service charges to the marginal cost of providing the services;
- (m) The Applicant's interLATA rates and service charges for AOS services should be based on the maximum rates and service charges as set forth in Schedule 1 attached to the Staff Report;
- (n) The Applicant's intraLATA rates and service charges for AOS services should be based on the maximum rates and service charges as set forth in Schedule 2 attached to the Staff Report; and
- (o) The Applicant's property surcharge for AOS services be limited to \$1.00 per call.

39. Staff further recommended that OCMC's Certificate should be conditioned upon the Applicant filing conforming tariffs in accordance with this Decision within 30 days of the effective date of this Decision.

40. Based on information contained within OCMC's tariff that it collects from its customers an advance, deposit, and/or prepayment, Staff also recommends the following:

- (a) that OCMC's Certificate should be conditioned upon the Applicant procuring a performance bond as described below, and filing proof of that performance bond within 30 days from the date of an Order in this matter;
- (b) that OCMC be required to procure a performance bond in the initial amount of

1 \$10,000, with the minimum bond amount of \$10,000 to be increased if at any time it
2 would be insufficient to cover all advances, deposits, or prepayments collected from
3 its customers, in the following manner: The bond amount should be increased in
4 increments of \$5,000, with such increases to occur whenever the total amount of the
5 advances, deposits, and prepayments reaches a level within \$1,000 under the actual
6 bond amount; and

7 (c) that, if at some time in the future, OCMC does not collect from its customers
8 any advances, prepayments or deposits, that OCMC should be allowed to file with the
9 Commission a request for cancellation of its established performance bond. Staff
10 stated that after Staff review of such filing, Staff would forward its recommendation
11 on the matter to the Commission for a Decision.

12 41. Staff recommended that if the Applicant fails to meet the timeframes outlined in
13 Findings of Fact Nos. 39 and 40, that OCMC's Certificate should become null and void without
14 further Order of the Commission and that no time extensions for compliance should be granted.

15 42. Staff recommended that the Certificates granted to One Call Communications, Inc.
16 dba Opticom in Decision No. 60106 to provide resold interexchange services and in Decision No.
17 61274 to provide AOS should be cancelled when the CC&N to provide resold interexchange services
18 and AOS is granted to OCMC.

19 43. Staff's recommendations as set forth herein, with the modification below, are
20 reasonable.

21 44. OCMC is granted a waiver of the zero-minus rules, as set forth in A.A.C. R14-2-
22 1006.A, for six (6) months during which time Staff shall review its performance and OCMC may file
23 for a permanent waiver.

24 45. OCMC's FVRB is zero.

25 **CONCLUSIONS OF LAW**

26 1. Applicant is a public service corporation within the meaning of Article XV of the
27 Arizona Constitution and A.R.S. §§ 40-281, 40-282 and § 40-285.

28 2. The Commission has jurisdiction over Applicant and the subject matter of the
application.

3. Notice of the application was given in accordance with law.

4. OCMC's provision of competitive AOS interLATA and intraLATA and resold

1 interexchange telecommunications services in Arizona is in the public interest.

2 5. OCMC is a fit and proper entity to receive a CC&N authorizing it to provide
3 competitive interLATA and intraLATA telecommunications services, except local exchange services,
4 in Arizona.

5 6. OCMC should be granted a waiver of the zero-minus rules, as set forth in A.A.C. R14-
6 2-1006.A, for six (6) months during which time Staff shall review its performance and OCMC may
7 file for a permanent waiver.

8 7. Staff's recommendations in Findings of Fact Nos. 14, 30, 33, 34, 35, 36, 37, 38, 39,
9 40, 41, and 42, as modified herein by the Commission, should be adopted.

10 8. OCMC's fair value rate base is not useful in determining just and reasonable rates for
11 the competitive services it proposes to provide to Arizona customers.

12 9. OCMC's rates, as they appear in its proposed tariffs, are just and reasonable and
13 should be approved.

14 ORDER

15 IT IS THEREFORE ORDERED that the application to transfer the Certificate of
16 Convenience and Necessity for authority to provide competitive resold interexchange and interLATA
17 and intraLATA AOS telecommunications services from One Call Communications, Inc. dba
18 Opticom to OCMC, Inc. is hereby granted, conditioned upon its compliance with the conditions
19 recommended by Staff as set forth in Findings of Fact Nos. 37, 38, 39, and 40 above.

20 IT IS FURTHER ORDERED that OCMC, Inc.'s application for a waiver of the provisions of
21 A.A.C. R14-2-1006.A is hereby granted for six (6) months pursuant to Findings of Fact No. 44.

22 IT IS FURTHER ORDERED that Staff's recommendations set forth in Findings of Fact Nos.
23 14, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42 above are hereby adopted.

24 IT IS FURTHER ORDERED that OCMC, Inc. shall comply with the adopted Staff
25 recommendations as set forth in Findings of Fact Nos. 37, 38, 39, and 40 above.

26 ...

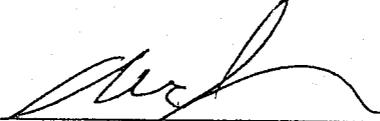
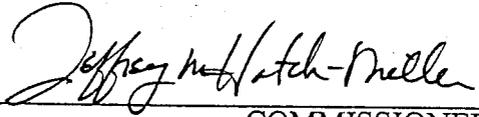
27 ...

28

1 IT IS FURTHER ORDERED that if OCMC, Inc. fails to meet the timeframes outlined in
2 Findings of Fact Nos. 39 and 40 above, that the Certificate conditionally granted herein shall become
3 null and void without further Order of the Commission.

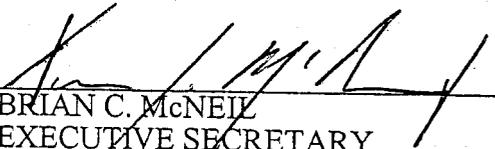
4 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

5 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

6
7   
8 CHAIRMAN COMMISSIONER COMMISSIONER

9  
10 COMMISSIONER COMMISSIONER

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 3rd day of Dec., 2004.

16 
BRIAN C. McNEIL
EXECUTIVE SECRETARY

17 DISSENT _____

18 DISSENT _____

19
20
21
22
23
24
25
26
27
28

1 SERVICE LIST FOR: OCMC, INC. AND ONE CALL COMMUNICATIONS, INC.
2 DBA OPTICOM

3 DOCKET NOS.: T-04103A-02-0274 AND T-02565A-02-0274

4 Michael Hallam, Esq.
5 Thomas Campbell, Esq.
6 40 North Central Ave.
7 Phoenix, Arizona 85004

8 Anne C. Bernard
9 General Counsel
10 One Call Communications, Inc. dba Opticom
11 801 Congressional Blvd.
12 Carmel, IN 46302

13 Laura Clore
14 Regulatory Manager
15 One Call Communications, Inc. dba Opticom
16 801 Congressional Blvd.
17 Carmel, IN 46032

18 Christopher Kempley, Chief Counsel
19 ARIZONA CORPORATION COMMISSION
20 1200 W. Washington Street
21 Phoenix, Arizona 85007

22 Ernest Johnson, Director
23 Utilities Division
24 ARIZONA CORPORATION COMMISSION
25 1200 W. Washington Street
26 Phoenix, Arizona 85007
27
28