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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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Company  
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COMMISSIONERS

DOCKETED

JAN 20 2005

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

DOCKETED BY  
NR

IN THE MATTER OF THE APPLICATION OF  
MARK VANDER WAL dba MTV WORLD  
PAYPHONES FOR THE CANCELLATION OF  
THE CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE CUSTOMER-OWNED  
PAY TELEPHONE SERVICE IN THE STATE OF  
ARIZONA.

DOCKET NO. T-02939A-04-0490

DECISION NO. 67507

ORDER

Open Meeting  
January 11 and 12, 2005  
Phoenix, Arizona

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. Mark Vander Wal dba MTV World Payphones ("Applicant") has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No. 59242 (August 30, 1995).

2. On July 2, 2004, Applicant filed with the Commission an application requesting the cancellation of its Certificate, which indicates that it does not have any pay telephones and no longer provides COPT service in the State of Arizona.

3. On December 7, 2004, the Commission's Utilities Division Staff ("Staff") filed a Staff Report, recommending approval of the application to cancel Applicant's Certificate without a hearing.

CONCLUSIONS OF LAW

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

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

1 application.

2 3. The cancellation of Applicant's Certificate is in the public interest.

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

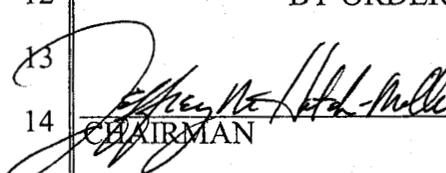
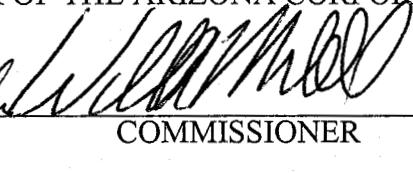
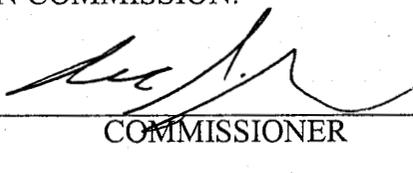
5 5. Staff's recommendation in Findings of Fact No. 3 is reasonable and should be  
6 adopted.

7 **ORDER**

8 IT IS THEREFORE ORDERED that the application of Mark Vander Wal dba MTV World  
9 Payphones for the cancellation of the Certificate of Convenience and Necessity to provide customer-  
10 owned pay telephone service shall be, and is hereby, approved.

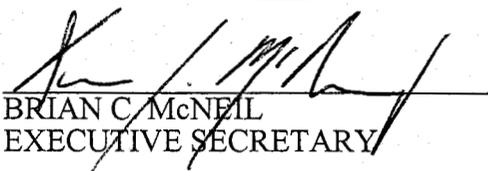
11 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

12 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

13     
14 CHAIRMAN COMMISSIONER COMMISSIONER

15  
16  
17    
18 COMMISSIONER COMMISSIONER

19  
20 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive  
21 Secretary of the Arizona Corporation Commission, have  
22 hereunto set my hand and caused the official seal of the  
23 Commission to be affixed at the Capitol, in the City of Phoenix,  
24 this 20<sup>th</sup> day of Jan., 2005.

23   
24 BRIAN C. McNEIL  
EXECUTIVE SECRETARY

25 DISSENT \_\_\_\_\_

26 DISSENT \_\_\_\_\_

27 LF:mj

28

1 SERVICE LIST FOR: MARK VANDER WAL DBA MTV WORLD PAYPHONES

2 DOCKET NO.: T-02939A-04-0490

3 Tami Vander Wal  
4 MTV WORLDPHONES  
5 8856 E. Echo Lane  
6 Peoria, AZ 85345

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

12 Ernest G. Johnson, Director  
13 Utilities Division  
14 ARIZONA CORPORATION COMMISSION  
15 1200 West Washington Street  
16 Phoenix, Arizona 85007