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22 OPEN MEETING ITEM



WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER



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BRIAN C. McNEIL  
EXECUTIVE SECRETARY

ORIGINAL

ARIZONA CORPORATION COMMISSION

2001 APR -2 A 9:49

AZ CORP COMMISSION  
DOCUMENT CONTROL  
DOCKETED

DATE: April 2, 2001  
DOCKET NO: T-03184A-00-0955

APR 02 2001

TO ALL PARTIES:

DOCKETED BY [Signature]

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

INTERROUTE-RETAIL, INC.  
(CANCEL CC&N)

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:

APRIL 11, 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:

APRIL 17, 2001 and APRIL 18, 2001

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250.

[Signature]  
BRIAN C. McNEIL  
EXECUTIVE SECRETARY

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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  
INTERROUTE-RETAIL, INC. FOR  
7 CANCELLATION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
8 COMPETITIVE RESOLD INTEREXCHANGE  
TELECOMMUNICATIONS SERVICES

DOCKET NO. T-03194A-00-0955

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

**ORDER**

9 Open Meeting  
10 April 17 and 18, 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. Interoute-Retail, Inc. ("IRI" or "Applicant") has a Certificate of Convenience and  
16 Necessity ("Certificate") to provide competitive resold interexchange telecommunications services in  
17 the State of Arizona pursuant to Decision No. 61216 (October 29, 1998).

18 2. On December 8, 2000, IRI filed with the Commission an application requesting  
19 cancellation of the Certificate.

20 3. As part of its application, IRI stated that it has notified all of its customers of its  
21 discontinuance of services.

22 4. Pursuant to Commission rules, the Commission may grant the application without a  
23 hearing.

24 5. On March 23, 2001, the Commission's Utilities Division Staff ("Staff") filed a Staff  
25 Report recommending approval of IRI's application for cancellation of its Certificate of Convenience  
26 and Necessity without a hearing.

27 6. The Staff Report indicates that IRI was ordered not to collect any prepayments,  
28 advances, or deposits, and therefore, no customer deposits are at risk.

**CONCLUSIONS OF LAW**

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

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

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

7 4. Staff's recommendation in Findings of Fact No. 5 is reasonable and should be  
8 adopted.

9 **ORDER**

10 IT IS THEREFORE ORDERED that the application of Interoute-Retail, Inc. for the  
11 cancellation of the Certificate of Convenience and Necessity to provide competitive resold  
12 interexchange telecommunications services shall be, and the same is hereby approved.

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

14 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

15  
16  
17 CHAIRMAN

COMMISSIONER

COMMISSIONER

18  
19 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive  
20 Secretary of the Arizona Corporation Commission, have  
21 hereunto set my hand and caused the official seal of the  
22 Commission to be affixed at the Capitol, in the City of Phoenix,  
23 this \_\_\_\_ day of \_\_\_\_\_, 2001.

24 BRIAN C. McNEIL  
EXECUTIVE SECRETARY

25 DISSENT \_\_\_\_\_  
26 SG:mlj

1 SERVICE LIST FOR:

INTERROUTE-RETAIL, INC.

2 DOCKET NO.:

T-03194A-00-0955

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