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BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

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1
2 WILLIAM A. MUNDELL
CHAIRMAN
3 JIM IRVIN
COMMISSIONER
4 MARC SPITZER
COMMISSIONER
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6 IN THE MATTER OF THE APPLICATION OF
USN COMMUNICATIONS LONG DISTANCE,
7 INC. FOR THE CANCELLATION OF THE
CERTIFICATE OF CONVENIENCE AND
8 NECESSITY TO PROVIDE RESOLD
INTRASTATE TELECOMMUNICATIONS
9 SERVICES IN ARIZONA

DOCKET NO. T-03119A-00-0780

DECISION NO. 63597

ORDER

10 Open Meeting
April 17 and 18, 2001
11 Phoenix, Arizona

12 **BY THE COMMISSION:**

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

15 **FINDINGS OF FACT**

16 1. USN Communications Long Distance, Inc. ("Applicant") has a Certificate of
17 Convenience and Necessity ("Certificate") to provide resold intrastate telecommunications service in
18 the State of Arizona pursuant to Decision No. 60532 (December 18, 1997).

19 2. On October 4, 2000, Applicant filed an application with the Commission requesting
20 cancellation of its Certificate. The Applicant indicated that it no longer provides resold
21 telecommunications services in Arizona.

22 3. In Decision No. 58926 (December 22, 1994), the Commission found that resold
23 telecommunications providers ("resellers") were public service corporations subject to the
24 jurisdiction of the Commission.

25 4. On October 20, 2000, the Commission's Utilities Division Staff ("Staff") filed a Staff
26 Report, stating that Applicant is no longer doing business in Arizona, and no prepayments, deposits,
27 or advances are at risk by the cancellation of Applicant's Certificate. Staff recommended
28 cancellation of Applicant's Certificate without a hearing.

CONCLUSIONS OF LAW

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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. 4 is reasonable and should be
8 adopted.

ORDER

9
10 IT IS THEREFORE ORDERED that the application of USN Communications Long Distance,
11 Inc. for the cancellation of the Certificate of Convenience and Necessity to provide resold intrastate
12 telecommunications services shall be, and is hereby, approved.

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

14 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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17 CHAIRMAN

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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 24th day of April, 2001.


BRIAN C. McNEIL
EXECUTIVE SECRETARY

DISSENT _____
AG:mlj

1 SERVICE LIST FOR:

USN COMMUNICATIONS LONG DISTANCE, INC.

2 DOCKET NO.

T-03119A-00-0780

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CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER



ARIZONA CORPORATION COMMISSION

BRIAN C. McNEIL
EXECUTIVE SECRETARY
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DATE: March 30, 2001
DOCKET NOS: T-03119A-00-0780
TO ALL PARTIES:

AZ CORP COMMISSION
DOCUMENT CONTROL

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

USN COMMUNICATIONS LONG DISTANCE, INC.
(RESELLER)

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 9, 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.



BRIAN C. McNEIL
EXECUTIVE SECRETARY