



BEFORE THE ARIZONA CORPORATION COMMISSION

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3 JEFF HATCH-MILLER  
Chairman  
4 WILLIAM A. MUNDELL  
Commissioner  
5 MARC SPITZER  
Commissioner  
6 MIKE GLEASON  
Commissioner  
7 KRISTIN K. MAYES  
Commissioner  
8

Arizona Corporation Commission

DOCKETED

APR 28 2005

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AZ CORP COMMISSION  
DOCUMENT CONTROL

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10 In the Matter of the Application of OCMC, )  
11 Inc. to Obtain a Certificate of Convenience ) Docket No. T-04103A-02-0274  
12 and Necessity From One Call )  
13 Communications, Inc. d/b/a Opticom to ) Docket No. T-02565A-02-0274  
14 Provide Telecommunications Services as a )  
Provider of Resold Interexchange Services ) **REQUEST TO MAKE WAIVER**  
and Alternative Operator Services Within ) **PERMANENT**  
the State of Arizona )

15 In Decision No. 67444, the Arizona Corporation Commission  
16 (“Commission”) granted to OCMC, Inc. (“OCMC”) a waiver of the provisions of AAC  
17 R14-2-1006.A. for period of six months and allowed OCMC, during that six-month  
18 period, to file a request to make the waiver permanent. See Decision No. 67444, Finding  
19 of Fact No. 44. This filing is made to request that the waiver granted in Decision No.  
20 67444 be made permanent upon the expiration of the six-month temporary waiver.

21 At the Open Meeting at which the Commission heard this matter, Chairman  
22 Spitzer stated the following:

23 I was wondering if there is a way of providing, since we  
24 haven’t had any customer complaints, a waiver for a  
25 period of six months and then look into it prior to the  
26 termination of the six month term and if no customers  
anywhere have complained, it would seem to be a viable  
competitor and that waiver could then be extended. But if

1 there were problems, then the termination of the waiver  
2 period would give us a measure of security.

3 \*\*\*

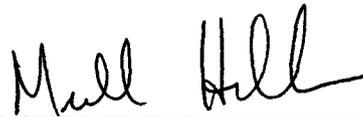
4 [S]uch waiver shall be for a term of six months with the  
5 purpose of having the company come forward for a  
6 permanent waiver based upon Staff's view of the facts at  
7 that time.

8 Through this filing, OCMC verifies that it is not aware of any complaints  
9 being made by customers in relation to its zero-minus service in Arizona. OCMC will also  
10 file a similar verification shortly before the expiration of the six-month temporary waiver,  
11 *i.e.* by June 3, 2005, to confirm that it is not aware of any complaints being filed after the  
12 date of this filing. OCMC remains a viable competitor in this market and believes that  
13 making the waiver permanent is appropriate.

14 For these reasons, OCMC respectfully requests that the waiver of AAC R14-  
15 2-1006.A. granted in Decision No. 67444 become permanent following the expiration of  
16 the six-month temporary waiver.

17 DATED this 28<sup>th</sup> day of April, 2005.

18 LEWIS AND ROCA LLP

19 

20 \_\_\_\_\_  
21 Thomas H. Campbell  
22 Michael T. Hallam  
23 40 N. Central Avenue  
24 Phoenix, Arizona 85004

25 Attorneys for OCMC, Inc.  
26

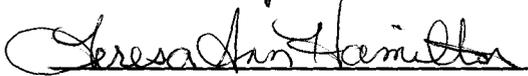
VERIFICATION

1  
2 STATE OF Indiana )  
3 ) ss.  
4 COUNTY OF Hamilton )

5 I, Ann C. Bernard, am General Counsel of OCMC, Inc. I hereby certify that the facts  
6 stated in the above Request to Make Waiver Permanent are true and accurate to the best of  
7 my knowledge and belief.

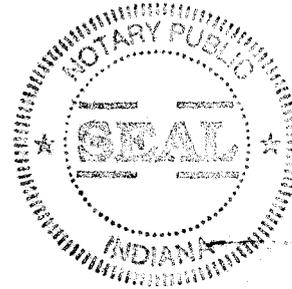
8   
9 Ann C. Bernard  
10 Ann C. Bernard

11 Subscribed and sworn to before me this 27 day of April, 2005.

12   
13 Teresa Ann Hamilton  
14 Notary Public  
Teresa Ann Hamilton

15 My Commission Expires:

16 December 21, 2008  
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ORIGINAL and fifteen (15) copies  
of the foregoing filed this 28<sup>th</sup> day of  
April, 2005, with:

The Arizona Corporation Commission  
Utilities Division – Docket Control  
1200 W. Washington Street  
Phoenix, Arizona 85007

COPIES of the foregoing  
hand-delivered this 28<sup>th</sup> day of  
April, 2005, to:

Amanda Pope, Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Tim Sabo, Legal Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Ernest G. Johnson, Director  
Utilities Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

