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MEMORANDUM

TO: Docket Control

FROM: Ernest G. Johnson  
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*EA for EGT*

THRU: Wilfred Shand, Jr. *MS*  
Manager, Telecommunications & Energy Section  
Utilities Division

Matthew Rowell *MR*  
Chief, Telecommunications & Energy Section  
Utilities Division

DATE: July 15, 2005

RE: IN THE MATTER OF THE APPLICATION OF NEW ACCESS COMMUNICATIONS LLC FOR A CANCELLATION OF THEIR CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE RESOLD LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES  
(DOCKET NO. T-04006A-05-0298)

Attached is the Staff Report of the application of New Access Communications LLC for cancellation of its Certificate of Convenience and Necessity ("CC&N"). Staff recommends cancellation of the CC&N.

Originator: Adam Lebrecht

Attachment: Original and Sixteen Copies

SERVICE LIST FOR: NEW ACCESS COMMUNICATIONS LLC

DOCKET NO. T-04006A-05-0298

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STAFF REPORT  
UTILITIES DIVISION  
ARIZONA CORPORATION COMMISSION

NEW ACCESS COMMUNICATIONS LLC  
DOCKET NO. T-04006A-05-0298

IN THE MATTER OF THE APPLICATION OF NEW ACCESS COMMUNICATIONS LLC  
FOR A CANCELLATION OF THEIR CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE RESOLD LOCAL EXCHANGE TELECOMMUNICATIONS  
SERVICES

JULY 2005

## STAFF ACKNOWLEDGEMENT

The Staff Report for New Access Communications LLC, Docket No. T-04006A-05-0298, was the responsibility of the staff member listed below. Adam Lebrecht was responsible for the review and analysis of the Company's application to cancel portions of its Certificate of Convenience and Necessity.

A handwritten signature in black ink, consisting of stylized, cursive letters that appear to read 'AL' followed by a long, sweeping horizontal stroke.

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ADAM LEBRECHT  
Executive Consultant I

## **Background**

On February 18, 2003, the Commission, in Decision No. 65632, originally granted a Certificate of Convenience and Necessity ("CC&N") to New Access Communications LLC ("NAC") to provide competitive intrastate telecommunications service as a provider of resold interexchange and resold local exchange service in the State of Arizona. On June 16, 2004, the Commission, in Decision No. 67043, additionally granted NAC the authority to provide facilities-based local exchange service in the State of Arizona.

NAC requests Commission approval to discontinue its authority to provide competitive intrastate telecommunications service as a resold and facilities-based local exchange service provider in Arizona. NAC is not requesting to discontinue its authority to provide resold interexchange service in the State of Arizona.

## **Staff Analysis**

On April 21, 2005, NAC filed its application to cancel the resold and facilities-based local exchange portions of its CC&N. NAC also indicated that had never advertised local exchange service in Arizona, obtained a local service customer in Arizona and has no future intentions of providing local services in Arizona.

On June 8, 2005, NAC provided Staff with a copy of the written notification published in the Arizona Republic. Staff believes this notification is informative, allows the customer an adequate timeframe to acquire a different long distance provider and is consistent with the requirements of R14-2-1107.

Consumer Services Staff has indicated that there are no open complaints, inquiries or opinions concerning any portions of NAC's CC&N. Because NAC indicated that it had never provided local exchange service, Staff does not believe there is a risk that an advance, deposit and/or prepayment of funds from NAC's local exchange customers would be lost by canceling the resold and facilities-based local exchange portions of its CC&N.

Since there are numerous other carriers offering similar services, Staff believes granting this application for cancellation of the resold and facilities-based local exchange portions of its CC&N is in the public interest.

Upon cancellation of the resold and facilities-based local exchange portions of its CC&N, NAC will no longer be authorized to provide competitive intrastate telecommunications service as a resold or facilities-based local exchange service provider and will no longer be subject to the resold local exchange requirements of Decision No. 65632 or any portions of Decision No. 67043.

## **Recommendations**

Staff recommends approval of NAC's application to cancel the resold and facilities-based local exchange portions of its CC&N.