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OPEN MEETING ITEM

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WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER



RECEIVED BRIAN C. McNEIL
EXECUTIVE SECRETARY

ARIZONA CORPORATION COMMISSION

2001 APR -2 A 10: 06

DATE: April 2, 2001

DOCKET NO: ~~T-03184A-00-0955~~ wrong #

TO ALL PARTIES: T-03666A-98-0691

AZ CORP COMMISSION
DOCUMENT CONTROL
DOCKETED

APR 02 2001

DOCKETED BY *sd*

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

DPI-TELECONNECT, LLC
(CC&N/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 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.

Brian C. McNeil
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
DPI-TELECONNECT, LLC. FOR A
7 CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE COMPETITIVE
8 RESOLD LOCAL EXCHANGE AND
INTEREXCHANGE TELECOMMUNICATIONS
SERVICES.

DOCKET NO. T-03666A-98-0691

DECISION NO. _____

ORDER

9
10 Open Meeting
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. On December 9, 1998, dPi-Teleconnect, LLC ("Applicant") filed with the
16 Commission an application for a Certificate of Convenience and Necessity ("Certificate") to provide
17 competitive resold local exchange and interexchange telecommunications services within the State of
18 Arizona.

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

22 3. In Decision No. 59124 (June 23, 1995), the Commission adopted A.A.C. R14-2-1101
23 through R14-2-1115 to regulate resellers.

24 4. Applicant is a Texas limited liability company authorized to do business in Arizona
25 since 1999.

26 5. On June 22, 1999, Applicant filed affidavits of publication indicating it had published
27 notice of its application for authority to provide resold interexchange services.
28

ORDER

IT IS THEREFORE ORDERED that the Application of dPi-Teleconnect, Inc. for a Certificate of Convenience and Necessity for authority to provide competitive resold local exchange and interexchange telecommunication services shall be, and the same is hereby denied, and the Docket closed.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

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 ____ day of _____, 2001.

BRIAN C. McNEIL
EXECUTIVE SECRETARY

DISSENT _____

JR:dap

1 SERVICE LIST FOR: DPI-TELECONNECT, INC.

2 DOCKET NO.: T-03666A-98-0691

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