

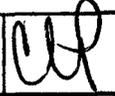


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BEFORE THE ARIZONA CORPORATION COMMISSION
DOCKETED

1
2 WILLIAM A. MUNDELL
3 CHAIRMAN
4 JIM IRVIN
5 COMMISSIONER
6 MARC SPITZER
7 COMMISSIONER

AUG 22 2002

DOCKETED BY 

8 IN THE MATTER OF THE APPLICATION OF
9 RANDY HEINSOHN FOR A CERTIFICATE OF
10 CONVENIENCE AND NECESSITY TO PROVIDE
11 CUSTOMER-OWNED PAY TELEPHONE
12 SERVICE IN THE STATE OF ARIZONA

DOCKET NO. T-04064A-01-0883

DECISION NO. 65111

ORDER

13 Open Meeting
14 August 20 and 21, 2001
15 Phoenix, Arizona

16 **BY THE COMMISSION:**

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

19 **FINDINGS OF FACT**

20 1. On November 7, 2001, Randy Heinsohn ("Applicant") filed with the Commission an
21 application for a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned
22 pay telephone ("COPT") service in the State of Arizona.

23 2. In Decision No. 55817 (December 10, 1987), the Commission found that COPT
24 providers were public service corporations subject to the jurisdiction of the Commission.

25 3. In Decision No. 57797 (April 8, 1992), the Commission adopted A.A.C. R14-2-901
26 through R14-2-909 to regulate COPT providers.

27 4. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes
28 rates and minimum service standards applicable to COPT service.

5. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT
Certificates without a hearing.

6. Applicant has requested that a Certificate be granted and has indicated that it will
provide COPT service pursuant to the rates, terms and conditions specified in the Generic COPT
Tariff.

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7. Applicant does not presently provide COPT services in Arizona.

8. On April 2, 2002, the Commission's Utilities Division Staff ("Staff") filed a Staff Report, recommending approval of the application without a hearing.

9. Staff stated that the Applicant has provided a copy of its customer information placard that complies with the Generic Tariff.

10. Staff also stated that increased pay telephone availability is in the public interest.

CONCLUSIONS OF LAW

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

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

3. The provision of COPT service in Arizona by Applicant is in the public interest.

4. Applicant is a fit and proper entity to receive a Certificate for providing COPT service in Arizona.

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

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ORDER

IT IS THEREFORE ORDERED that the Application of Randy Heinsohn for a Certificate of Convenience and Necessity for authority to provide customer-owned pay telephone service in Arizona shall be, and the same is, hereby granted.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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| 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 22nd day of August, 2001.


 BRIAN C. McNEIL
 EXECUTIVE SECRETARY

DISSENT _____
PD:mlj

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SERVICE LIST FOR: RANDY HEINSOHN

DOCKET NO.: T-04064A-01-0883

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