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BEFORE THE ARIZONA CORPORATION COMMISSION
DOCKETED

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WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

AUG 23 2002

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
GARY A. GIVENS DBA G.A.G.
COMMUNICATIONS FOR THE
CANCELLATION OF THE CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
CUSTOMER-OWNED PAY TELEPHONE
SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-03055A-01-0201

DECISION NO. 65113

ORDER

Open Meeting
August 20 and 21, 2002
Phoenix, Arizona

BY THE COMMISSION:

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

FINDINGS OF FACT

1. Gary A. Givens dba G.A.G. Communications ("Applicant") has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No. 59616 (April 24, 1996).
2. On March 6, 2001, Applicant filed with Docket Control of the Commission an application for approval of the cancellation of the Certificate, indicating that it no longer provides COPT service in the State of Arizona.
3. On July 11, 2002, the Commission's Utilities Division Staff ("Staff") filed a Staff Report, recommending approval of the application to cancel Applicant's Certificate without a hearing.¹

CONCLUSIONS OF LAW

1. Applicant is a public service corporation within the meaning of Article XV of the

¹ On July 23, 2002, Staff filed an amended Staff Report to correct a discrepancy and to update Applicant's mailing address.

1 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

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

4 3. The cancellation of Applicant's Certificate is in the public interest.

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

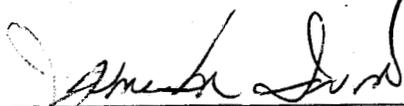
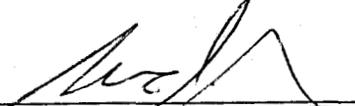
7 5. Staff's recommendation in Findings of Fact No. 3 is reasonable and should be
8 adopted.

9 **ORDER**

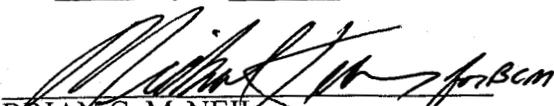
10 IT IS THEREFORE ORDERED that the application of Gary A. Givens dba G.A.G.
11 Communications for the cancellation of the Certificate of Convenience and Necessity to provide
12 customer-owned pay telephone service shall be, and is hereby, approved.

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  COMMISSIONER  COMMISSIONER

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20 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
21 Secretary of the Arizona Corporation Commission, have
22 hereunto set my hand and caused the official seal of the
23 Commission to be affixed at the Capitol, in the City of Phoenix,
24 this 23rd day of AUGUST, 2002.

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26 BRIAN C. McNEIL
27 EXECUTIVE SECRETARY

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DISSENT _____
MES:dap

1 SERVICE LIST FOR:

GARY A. GIVENS DBA G.A.G.
COMMUNICATIONS

2 DOCKET NO.:

T-03055A-01-0201

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