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COPT 8

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

OPEN MEETING ITEM



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EXECUTIVE SECRETARY

ARIZONA CORPORATION COMMISSION 28 A 10: 52

DATE: March 28, 2001
DOCKET NO: T-03974A-00-1039
TO ALL PARTIES:

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

MAR 28 2001

DOCKETED BY *sd*

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

MARITEL PROPERTIES, LLC
(CC&N/COPT)

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 6, 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
MARITEL PROPERTIES, LLC FOR A
7 CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE CUSTOMER-OWNED
8 PAY TELEPHONE SERVICE IN THE STATE OF
ARIZONA.

DOCKET NO. T-03974A-00-1039

DECISION NO. _____

ORDER

9 Open Meeting
10 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 19, 2000, Maritel Properties, LLC ("Applicant") filed with the
16 Commission an application for a Certificate of Convenience and Necessity ("Certificate") to provide
17 customer-owned pay telephone ("COPT") service in the State of Arizona.

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

20 3. Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to
21 regulate COPT providers.

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

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

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

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IT IS FURTHER ORDERED that within 90 days of the effective date of this Decision, Maritel Properties, LLC shall notify the Compliance Section of the Arizona Corporation Commission of the date that it will begin or has begun providing service to Arizona customers.

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 _____
AG:dap

1 SERVICE LIST FOR: MARITEL PROPERTIES, LLC

2 DOCKET NO. T-03974A-00-1039

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