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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

SEP 20 2002

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2 WILLIAM A. MUNDELL  
CHAIRMAN  
3 JIM IRVIN  
COMMISSIONER  
4 MARC SPITZER  
COMMISSIONER

DOCKETED BY

5  
6 IN THE MATTER OF THE APPLICATION OF  
STEVE AND CINDY HALSTEAD DBA PUBLIC  
7 PHONE FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
8 CUSTOMER-OWNED PAY TELEPHONE  
SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-04055A-01-0815

DECISION NO. 65196

ORDER

9 Open Meeting  
10 September 17 and 18, 2002  
Phoenix, Arizona

11 **BY THE COMMISSION:**

12 Having considered the entire record herein and being fully advised in the premises, the  
13 Commission finds, concludes, and orders that:

14 **FINDINGS OF FACT**

15 1. On October 15 2001, Steve and Cindy Halstead dba Public Phone ("Applicant") filed  
16 with the Arizona Corporation Commission ("Commission") an application for a Certificate of  
17 Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT")  
18 service in the State of Arizona.

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

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

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

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

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

1 Tariff.

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

3 8. On April 5, 2002, the Commission's Utilities Division Staff ("Staff") filed a Staff  
4 Report, recommending approval of the application without a hearing.

5 9. Staff stated that the Applicant has provided a copy of its customer information placard  
6 in compliance with the Generic Tariff.

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

8 CONCLUSIONS OF LAW

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

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

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

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

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

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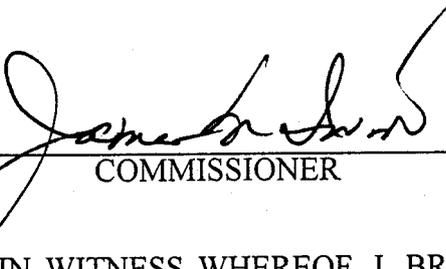
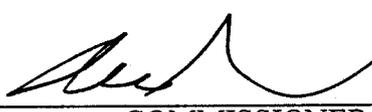
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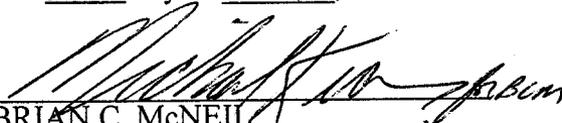
IT IS THEREFORE ORDERED that the Application of Steve and Cindy Halstead dba Public Phone for a Certificate of Convenience and Necessity for authority to provide customer-owned pay telephone service in Arizona shall be, and the same is, hereby granted.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

		
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 20<sup>th</sup> day of September, 2002.

  
 BRIAN C. McNEIL  
 EXECUTIVE SECRETARY

DISSENT \_\_\_\_\_  
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SERVICE LIST FOR: STEVE AND CINDY HALSTEAD DBA PUBLIC PHONE

DOCKET NO.: T-04055A-01-0815

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