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BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

JUN 26 2002

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

DOCKETED BY

6 IN THE MATTER OF THE APPLICATION OF  
7 ONELINK COMMUNICATIONS, INC. FOR A  
8 CERTIFICATE OF CONVENIENCE AND  
9 NECESSITY TO PROVIDE COMPETITIVE  
RESOLD INTEREXCHANGE  
TELECOMMUNICATIONS SERVICES, EXCEPT  
LOCAL EXCHANGE SERVICES.

DOCKET NO. T-04089A-02-0174

DECISION NO. 64980

ORDER

10 Open Meeting  
11 June 24 and 25, 2002  
12 Phoenix, Arizona

12 **BY THE COMMISSION:**

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

15 FINDINGS OF FACT

16 1. On March 11, 2002, OneLink Communications, Inc. ("Applicant" or "OneLink") filed  
17 with the Arizona Corporation Commission ("Commission") an application for a Certificate of  
18 Convenience and Necessity ("Certificate") to provide competitive resold interexchange  
19 telecommunications services, except local exchange services, within the State of Arizona.

20 2. Applicant is a switchless reseller that purchases telecommunications services from a  
21 variety of carriers for resale to its customers.

22 3. In Decision No. 58926 (December 22, 1994), the Commission found that resold  
23 telecommunications providers ("resellers") are public service corporations subject to the jurisdiction  
24 of the Commission.

25 4. OneLink has authority to transact business in the State of Arizona.

26 5. On May 13, 2002, OneLink filed an Affidavit of Publication indicating compliance  
27 with the Commission's notice requirements.

1           6.     On April 29, 2002, Staff filed in this docket a letter to the Applicant requesting  
2 information necessary in order to make a fair value rate base finding. Applicant filed its response on  
3 May 13, 2002.

4           7.     On May 21, 2002, the Commission's Utilities Division Staff ("Staff") filed a Staff  
5 Report which includes Staff's fair value rate base determination in this matter and recommends  
6 approval of the application subject to certain conditions.

7           8.     In the Staff Report, Staff stated that OneLink provided financial statements for the  
8 four months ending May 10, 2002, which list assets of \$24,962, total equity of \$24,815, and a net loss  
9 of \$7,374.

10          9.     In its Staff Report, Staff stated that based on information obtained from the Applicant,  
11 it has determined that OneLink's fair value rate base is zero, and is too small to be useful in setting  
12 rates. Staff further stated that in general, rates for competitive services are not set according to rate of  
13 return regulation, but are heavily influenced by the market. Staff recommended that the Commission  
14 not set rates for OneLink based on the fair value of its rate base.

15          10.    Staff believes that OneLink has no market power and that the reasonableness of its  
16 rates will be evaluated in a market with numerous competitors. In light of the competitive market in  
17 which the Applicant will be providing its services, Staff believes that the rates in Applicant's  
18 proposed tariffs for its competitive services will be just and reasonable, and recommends that the  
19 Commission approve them.

20          11.    Staff recommended approval of OneLink's application subject to the following:

21           (a)    The Applicant should be ordered to comply with all Commission rules, orders,  
22 and other requirements relevant to the provision of intrastate telecommunications  
23 service;

24           (b)    The Applicant should be ordered to maintain its accounts and records as  
25 required by the Commission;

26           (c)    The Applicant should be ordered to file with the Commission all financial and  
27 other reports that the Commission may require, and in a form and at such times as the  
28 Commission may designate;

          (d)    The Applicant should be ordered to maintain on file with the Commission all

1 current tariffs and rates, and any service standards that the Commission may require;

2 (e) The Applicant should be ordered to comply with the Commission's rules and  
3 modify its tariffs to conform to these rules if it is determined that there is a conflict  
4 between the Applicant's tariffs and the Commission's rules;

5 (f) The Applicant should be ordered to cooperate with Commission investigations  
6 of customer complaints;

7 (g) The Applicant should be ordered to participate in and contribute to a universal  
8 service fund, as required by the Commission;

9 (h) The Applicant should be ordered to notify the Commission immediately upon  
10 changes to the Applicant's address or telephone number;

11 (i) If at some future date, the Applicant wants to collect from its customers an  
12 advance, deposit and/or prepayment, it must file information with the Commission for  
13 Staff review. Upon receipt of such filing and after Staff review, Staff would forward  
14 its recommendation to the Commission;

15 (j) The Applicant's interexchange service offerings should be classified as  
16 competitive pursuant to A.A.C. R14-2-1108;

17 (k) The Applicant's maximum rates should be the maximum rates proposed by the  
18 Applicant in its proposed tariffs. The minimum rates for the Applicant's competitive  
19 services should be the Applicant's total service long run incremental costs of  
20 providing those services as set forth in A.A.C. R14-2-1109; and

21 (l) In the event that the Applicant states only one rate in its proposed tariff for a  
22 competitive service, the rate stated should be the effective (actual) price to be charged  
23 for the service as well as the service's maximum rate.

24 12. Staff further recommended that OneLink's Certificate should be conditioned upon the  
25 Applicant filing conforming tariffs in accordance with this Decision within 365 days from the date of  
26 an Order in this matter, or 30 days prior to providing service, whichever comes first.

27 13. Staff recommended that if the Applicant fails to meet the timeframes outlined in  
28 Findings of Fact No. 12, that OneLink's Certificate should become null and void without further  
Order of the Commission, and that no time extensions for compliance should be granted.

14. The rates proposed by this filing are for competitive services.

15. Staff's recommendations as set forth herein are reasonable.

16. OneLink's fair value rate base is zero.

CONCLUSIONS OF LAW

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

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

6 3. Notice of the application was given in accordance with the law.

7 4. Applicant's provision of resold interexchange telecommunications services is in the  
8 public interest.

9 5. Applicant is a fit and proper entity to receive a Certificate as conditioned herein for  
10 providing competitive resold interexchange telecommunications services in Arizona.

11 6. Staff's recommendations in Findings of Fact No. 9, 10, 11, 12 and 13 should be  
12 adopted.

13 7. OneLink's fair value rate base is not useful in determining just and reasonable rates  
14 for the competitive services it proposes to provide to Arizona customers.

15 8. OneLink's rates, as they appear in its proposed tariffs, are just and reasonable and  
16 should be approved.

ORDER

17  
18 IT IS THEREFORE ORDERED that the application of OneLink Communications, Inc. for a  
19 Certificate of Convenience and Necessity for authority to provide competitive resold interexchange  
20 telecommunications services, except local exchange services, is hereby granted, conditioned upon its  
21 compliance with the conditions recommended by Staff as set forth in Findings of Fact Nos. 11, 12  
22 and 13 above.

23 IT IS FURTHER ORDERED that Staff's recommendations set forth in Findings of Fact Nos.  
24 9, 10, 11, 12 and 13 above are hereby adopted.

25 IT IS FURTHER ORDERED that OneLink Communications, Inc. shall comply with the  
26 adopted Staff recommendations as set forth in Findings of Fact Nos. 11 and 12 above.

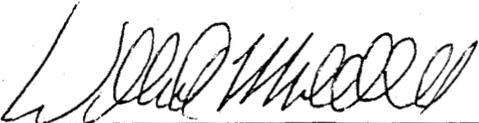
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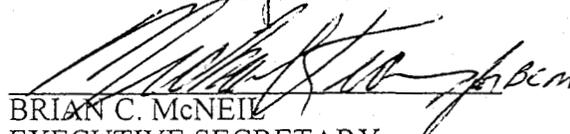
1 IT IS FURTHER ORDERED that if OneLink Communications, Inc. fails to meet the  
2 timeframes outlined in Findings of Fact. No. 12 above that the Certificate conditionally granted  
3 herein shall become null and void without further Order of the Commission.

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

5 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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7 \_\_\_\_\_  
8 CHAIRMAN COMMISSIONER COMMISSIONER

9 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive  
10 Secretary of the Arizona Corporation Commission, have  
11 hereunto set my hand and caused the official seal of the  
12 Commission to be affixed at the Capitol, in the City of Phoenix,  
13 this 26<sup>th</sup> day of June, 2002.

14   
15 BRIAN C. McNEIL  
16 EXECUTIVE SECRETARY

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1 SERVICE LIST FOR: ONELINK COMMUNICATIONS INC.

2 DOCKET NO.: T-04089A-02-0174

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