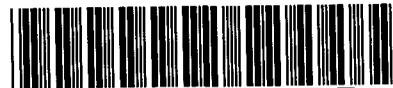


OPEN MEETING IT



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CARL J. KUNASEK  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
WILLIAM A. MUNDELL  
COMMISSIONER  
Arizona Corporation Commission  
**DOCKETED**

NOV 29 2000 ARIZONA CORPORATION COMMISSION

*Pulled  
for  
review*

DOCKETED BY	Jm
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DATE: November 29, 2000

DOCKET NO.: T-03439A-97-0505

TO ALL PARTIES:

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

UNITED SERVICES TELEPHONE, L.L.C.  
(DENIES CC&N/RESELLER)

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:

DECEMBER 8, 2000

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:

DECEMBER 12, 2000 AND DECEMBER 13, 2000

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250.

BRIAN C. McNEIL  
EXECUTIVE SECRETARY

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 CARL J. KUNASEK  
CHAIRMAN  
3 JIM IRVIN  
COMMISSIONER  
4 WILLIAM A. MUNDELL  
COMMISSIONER  
5

6 IN THE MATTER OF THE APPLICATION OF  
UNITED SERVICES TELEPHONE, L.L.C. FOR A  
7 CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE COMPETITIVE  
INTRASTATE TELECOMMUNICATIONS  
8 SERVICES AS A RESELLER

DOCKET NO. T-03439A-97-0505

DECISION NO. \_\_\_\_\_

**ORDER**

9 Open Meeting  
10 December 12 and 13, 2000  
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 September 17, 1997, United Services Telephone, L.L.C. ("Applicant" or "United")  
16 filed with Docket Control of the Arizona Corporation Commission ("Commission") an application  
17 for a Certificate of Convenience and Necessity ("Certificate") to provide competitive intrastate  
18 telecommunications services as a reseller within the State of Arizona.

19 2. In Decision No. 58926 (December 22, 1994), the Commission found that resold  
20 telecommunications providers ("resellers") were public service corporations subject to the  
21 jurisdiction of the Commission.

22 3. The Applicant has not published notice of its application.

23 4. On August 30, 2000, the Commission's Utilities Division Staff ("Staff") docketed a  
24 letter sent to United requesting additional information in order to process the application. Staff  
25 requested that United contact it by September 29, 2000.

26 5. On August 31, 2000, Staff docketed a letter sent to United's local statutory agent to  
27 inform United that Staff requests additional information to process its application.  
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**ORDER**

IT IS THEREFORE ORDERED that the application of United Services Telephone, L.L.C. for a Certificate of Convenience and Necessity for authority to provide competitive intrastate telecommunications services as a reseller, shall be, and the same is hereby denied.

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 \_\_\_\_\_, 2000.

\_\_\_\_\_  
BRIAN C. McNEIL  
EXECUTIVE SECRETARY

DISSENT \_\_\_\_\_  
SG:dap

1 SERVICE LIST FOR: UNITED SERVICES TELEPHONE, L.L.C.

2 DOCKET NO.: T-03439A-97-0505

3

4 Steve Bleser, President  
5 UNITED SERVICES TELEPHONE, L.L.C.  
6 475 Metroplex Drive, Suite 106  
7 Nashville, Tennessee 37211

6

7 Statutory Agent  
8 National Registered Agents, Inc.  
9 815 North First Avenue, #4  
10 Phoenix, Arizona 85003  
11 Statutory Agent for United Services Telephone, L.L.C.

10

11 Lyn Farmer, Chief Counsel  
12 Legal Division  
13 ARIZONA CORPORATION COMMISSION  
14 1200 West Washington Street  
15 Phoenix, AZ 85007

13

14 Deborah Scott, Director  
15 Utilities Division  
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