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BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

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CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER

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IN THE MATTER OF THE APPLICATION OF
ACCESS COMMUNICATIONS, INC. FOR THE
CANCELLATION OF THE CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
COMPETITIVE INTRASTATE TOLL SERVICES
AS A RESELLER IN THE STATE OF ARIZONA.

DOCKET NO. T-02748A-00-0605

DECISION NO. 62971

ORDER

Open Meeting
October 25, 2000
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. Access Communications, Inc. ("Access") has a Certificate of Convenience and Necessity ("Certificate") to provide intrastate toll telecommunication services as a reseller in the State of Arizona pursuant to Decision No. 60239 (June 12, 1997).

2. In August 1999, Access merged with McLeodUSA. McLeodUSA has a Certificate to provide intrastate toll telecommunication services pursuant to Decision No. 60803 (April 8, 1998).

3. On August 17, 2000, McLeodUSA filed with Docket Control of the Commission an application for approval of the cancellation of Access' Certificate, indicating that the merged entity would be using McLeodUSA's Certificate to provide competitive intrastate toll telecommunication services in Arizona.

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

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

1 6. On September 18, 2000, the Commission's Utilities Division Staff ("Staff") filed a Staff
2 Report, recommending that the request to cancel Applicant's Certificate be granted without a hearing.

3 CONCLUSIONS OF LAW

- 4 1. Access is a public service corporation within the meaning of Article XV of the Arizona
- 5 Constitution and A.R.S. §§ 40-281 and 40-282.
- 6 2. The Commission has jurisdiction over Applicant and the subject matter of the application.
- 7 3. The cancellation of Access' Certificate is in the public interest.
- 8 4. Staff's recommendation in Findings of Fact No. 6 is reasonable and should be adopted.

9 ORDER

10 IT IS THEREFORE ORDERED that the application for the cancellation of the Certificate of
11 Convenience and Necessity of Access Communications, Inc. to provide competitive intrastate toll
12 telecommunications services, except local exchange services, shall be, and the same is hereby
13 approved.

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

15 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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 18 CHAIRMAN COMMISSIONER COMMISSIONER
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21 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
22 Secretary of the Arizona Corporation Commission, have
23 hereunto set my hand and caused the official seal of the
24 Commission to be affixed at the Capitol, in the City of Phoenix,
25 this 18th day of September, 2000.

24 
 25 BRIAN C. McNEIL
 26 EXECUTIVE SECRETARY

27 DISSENT _____
JR:dp

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SERVICE LIST FOR:

ACCESS COMMUNICATIONS, INC.

DOCKET NO.

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