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BEFORE THE ARIZONA CORPORATION COMMISSION

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2 CARL J. KUNASEK  
CHAIRMAN  
3 JIM IRVIN  
COMMISSIONER  
4 WILLIAM A. MUNDELL  
COMMISSIONER  
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6 IN THE MATTER OF THE APPLICATION OF  
RSL COM U.S.A., INC. FOR A CERTIFICATE OF  
7 CONVENIENCE AND NECESSITY TO PROVIDE  
COMPETITIVE RESOLD  
8 TELECOMMUNICATIONS SERVICES EXCEPT  
LOCAL EXCHANGE SERVICES.

DOCKET NO. T-03352A-97-0168

DECISION NO. 62237

**ORDER**

9 Open Meeting  
10 January 5 and 6, 2000  
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 April 3, 1997, RSL COM U.S.A., Inc. ("Applicant") filed with the Commission an  
16 application for a Certificate of Convenience and Necessity ("Certificate") to provide competitive  
17 resold intrastate toll telecommunications services in Arizona.

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

21 3. In Decision No. 59124 (June 23, 1995), the Commission adopted A.A.C. R14-2-1101  
22 through R14-2-1115 to regulate resellers.

23 4. Applicant is a Delaware corporation that has been authorized to do business in  
24 Arizona since 1997.

25 5. Applicant is a switchless reseller and plans to resell services provided by MCI, Sprint  
26 and LCI.

27 6. On August 20, 1999, the Commission's Utilities Division Staff ("Staff") filed a Staff  
28 Report.



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

2 4. Applicant's provision of resold intrastate toll telecommunications services is in the  
3 public interest.

4 5. Applicant is a fit and proper entity to receive a Certificate for providing competitive  
5 intrastate toll telecommunications services as a reseller in Arizona.

6 6. Staff's recommendations in Findings of Fact No. 9 are reasonable and should be  
7 adopted.

8 **ORDER**

9 IT IS THEREFORE ORDERED that the Application of RSL COM U.S.A., Inc. for a  
10 Certificate of Convenience and Necessity for authority to provide competitive resold intrastate toll  
11 telecommunications services shall be, and the same, is hereby granted.

12 IT IS FURTHER ORDERED that RSL COM U.S.A., Inc. shall comply with the Staff  
13 recommendations set forth in Findings of Fact No. 9.

14 IT IS FURTHER ORDERED that the modified tariffs shall be filed within 30 days from the  
15 effective date of this Decision.

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

17 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

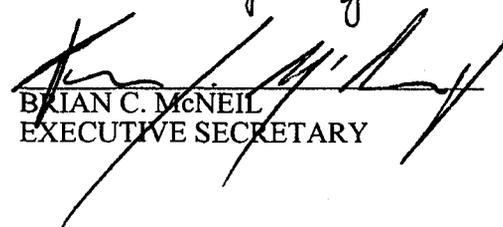
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20 CHAIRMAN COMMISSIONER COMMISSIONER

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22 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive  
23 Secretary of the Arizona Corporation Commission, have  
24 hereunto set my hand and caused the official seal of the  
Commission to be affixed at the Capitol, in the City of Phoenix,  
this 12<sup>th</sup> day of January, 2000.

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26   
BRIAN C. McNEIL  
EXECUTIVE SECRETARY

27 DISSENT \_\_\_\_\_  
JR:DAP

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1 SERVICE LIST FOR: RSL COM U.S.A., INC

2 DOCKET NO. T-03352A-97-0168

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