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Arizona Corporation Commission  
**BEFORE THE ARIZONA CORPORATION COMMISSION**

**DOCKETED**

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

JAN 10 2000

DOCKETED BY *sd*

IN THE MATTER OF THE APPLICATION OF  
FOXTEL, INC. FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
COMPETITIVE INTRASTATE TOLL  
TELECOMMUNICATIONS SERVICES AS A  
RESELLER.

DOCKET NO. T-03447A-97-0559

DECISION NO. 62218

**ORDER**

Open Meeting  
January 5 and 6, 2000  
Phoenix, Arizona

**BY THE COMMISSION:**

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

**FINDINGS OF FACT**

1. On October 10, 1997, FoxTel, Inc. ("Applicant") filed with Docket Control of the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide intrastate toll telecommunications services as a reseller within the State of Arizona.

2. On September 17, 1999, the Commission's Utilities Division Staff ("Staff") filed its Staff Report in this matter.

3. On December 14, 1999, the Applicant's representative filed with Docket Control a letter informing the Commission that the Applicant, FoxTel, Inc., will no longer be providing long distance services, and wishes to withdraw its application.

4. FoxTel, Inc. has not served any customers in Arizona and therefore, no Arizona consumers will be affected by the Company's withdrawal.

**CONCLUSIONS OF LAW**

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



1 SERVICE LIST FOR: FOXTEL, INC.  
2 DOCKET NO. T-03447A-97-0559

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