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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
CANNON TELEPHONE COMPANY FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE CUSTOMER-OWNED
PAY TELEPHONE SERVICE IN THE STATE OF
ARIZONA.

DOCKET NO. T-03805A-99-0651

DECISION NO. 62204

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 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. On November 10, 1999, and as amended on November 29, 1999, Cannon Telephone Company ("Applicant") filed with the Commission an application for a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona.
2. In Decision No. 55817 (December 10, 1987), the Commission found that COPT providers were public service corporations subject to the jurisdiction of the Commission.
3. The Commission in Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to regulate COPT providers.
4. In Decision No. 58535 (February 14, 1994), the Commission adopted a Generic Tariff that establishes rates and minimum service standards applicable to COPT service.
5. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT Certificates without a hearing.
6. Applicant has requested that a Certificate be granted pursuant to A.A.C. R14-2-905,

1 and has indicated that it will provide COPT service pursuant to the rates, terms and conditions
2 specified in the Generic COPT Tariff, with waivers for posting, access to live operators and end-user
3 preferred carriers.

4 7. Applicant is a foreign corporation.

5 8. Applicant does not presently provides COPT services in Arizona.

6 9. On December 1, 1999, Staff filed a Staff Recommendation, recommending approval
7 of Applicant's application without a hearing.

8 10. Staff further recommended that the Commission approve Applicant's request for
9 certain waivers to the Generic COPT Tariff.

10 **CONCLUSIONS OF LAW**

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

13 2. The Commission has jurisdiction over Applicant and the subject matter of the
14 application.

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

16 4. Applicant is a fit and proper entity to receive a Certificate for providing COPT service
17 in Arizona.

18 5. Staff's recommendation in Findings of Fact No. 10 should be approved.

19 **ORDER**

20 IT IS THEREFORE ORDERED that the application of Cannon Telephone Company for a
21 Certificate of Convenience and Necessity for authority to provide customer-owned pay telephone
22 service in Arizona shall be, and the same is, hereby granted.

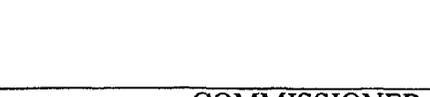
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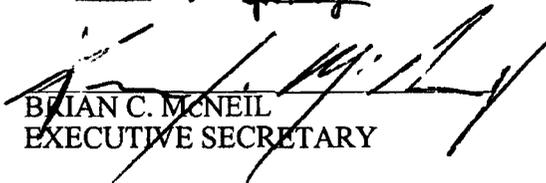
IT IS FURTHER ORDERED that Cannon Telephone Company shall comply with the terms of the Generic COPT Tariff, with waivers as requested in its amended application and recommended by Staff for posting, access to live operators, and access to end-user's preferred toll carriers.

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 15th day of January, 2000.


 BRIAN C. McNEIL
 EXECUTIVE SECRETARY

DISSENT _____
JLR:dap

1 SERVICE LIST FOR:

CANNON TELEPHONE COMPANY

2 DOCKET NO.

T-03805A-99-0651

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