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Arizona Corporation Commission
BEFORE THE ARIZONA CORPORATION COMMISSION
DOCKETED

1
2 JIM IRVIN
COMMISSIONER-CHAIRMAN
3 TONY WEST
COMMISSIONER
4 CARL J. KUNASEK
COMMISSIONER

MAY 13 1999

DOCKETED BY	<i>pd</i>
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6 IN THE MATTER OF THE APPLICATION OF
THOMAS W. JORDAN AND JACK O. BUTLER
7 DBA J & T COMMUNICATIONS FOR A
CERTIFICATE OF CONVENIENCE AND
8 NECESSITY TO PROVIDE CUSTOMER-OWNED
PAY TELEPHONE SERVICE IN THE STATE OF
ARIZONA.

DOCKET NO. T-03716A-99-0137

DECISION NO. 61692

ORDER

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10 Open Meeting
May 11 and 12, 1999
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 March 10, 1999, Thomas W. Jordan and Jack O. Butler dba J & T
16 Communications ("Applicant") filed with the Commission an application for a Certificate of
17 Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT")
18 service in the State of Arizona.

19 2. In Decision No. 55817 (December 10, 1987), the Commission found that COPT
20 providers were public service corporations subject to the jurisdiction of the Commission.

21 3. The Commission in Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901
22 through R14-2-909 to regulate COPT providers.

23 4. In Decision No. 58535 (February 14, 1994), the Commission adopted a Generic Tariff
24 that establishes rates and minimum service standards applicable to COPT service.

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

27 6. Applicant has requested that a Certificate be granted pursuant to A.A.C. R14-2-905,
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1 and has indicated that it will provide COPT service pursuant to the rates, terms and conditic
2 specified in the Generic COPT Tariff.

3 7. Applicant is a partnership.

4 8. Applicant does not presently provide COPT services in Arizona.

5 9. Applicant plans to provide end-users with 0+, 1+, local, calling card, long distance
6 service, and operator-assisted calls. A minimum of a three-minute time limit will be allowed on local
7 calls.

8 10. Applicant submitted a sample customer information posting for the review of the
9 Commission's Utilities Division Staff ("Staff").

10 11. On March 23, 1999, Staff filed a Staff Recommendation, recommending approval of
11 Applicant's application without a hearing.

12 12. Staff stated that Applicant's customer information posting is in compliance with the
13 Generic COPT Tariff.

14 CONCLUSIONS OF LAW

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

17 2. The Commission has jurisdiction over Applicant and the subject matter of the
18 application.

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

20 4. The provision of COPT service in Arizona by Applicant is in the public interest.

21 5. Applicant is a fit and proper entity to receive a Certificate for providing COPT service
22 in Arizona.

23 ORDER

24 IT IS THEREFORE ORDERED that the application of Thomas W. Jordan and Jack O. Butler
25 dba J & T Communications for a Certificate of Convenience and Necessity for authority to provide
26 customer-owned pay telephone service in Arizona shall be, and the same is, hereby granted.
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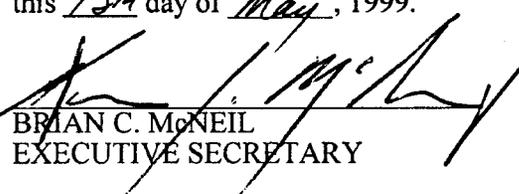
IT IS FURTHER ORDERED that Thomas W. Jordan and Jack O. Butler dba J & T Communications shall comply with the terms of the Generic COPT Tariff, unless otherwise ordered by the Commission, pursuant to A.A.C. R14-2-906.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

		
COMMISSIONER-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 13th day of May, 1999.


 BRIAN C. McNEIL
 EXECUTIVE SECRETARY

DISSENT _____
BMB:bbs

1 SERVICE LIST FOR:

THOMAS W. JORDAN AND JACK O. BUTLER DE
J & T COMMUNICATIONS

2
3 DOCKET NO.

T-03716A-99-0137

4 Thomas W. Jordan
5 J & T COMMUNICATIONS
6 P.O. Box 371
7 Grand Canyon, Arizona 86023

8 Jack O. Butler
9 J & T COMMUNICATIONS
10 P.O. Box 1519
11 Grand Canyon, Arizona 86023

12 Paul Bullis, Chief Counsel
13 Legal Division
14 ARIZONA CORPORATION COMMISSION
15 1200 West Washington Street
16 Phoenix, Arizona 85007

17 Director, Utilities Division
18 ARIZONA CORPORATION COMMISSION
19 1200 West Washington Street
20 Phoenix, Arizona 85007

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