

OPEN MEETING ITEM



0000038226

BRIAN C. McNEIL
Executive Director

22

COMMISSIONERS
JEFF HATCH-MILLER - Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

ORIGINAL



ARIZONA CORPORATION COMMISSION

DATE: January 9, 2006

DOCKET NO: T-04128A-04-0035

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Amy Bjelland. The recommendation has been filed in the form of an Order on:

SANDRA MANSFIELD dba S&R COMMUNICATIONS

(CC&N CANCELLATION)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00 p.m.** on or before:

JANUARY 18, 2006

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

JANUARY 24 AND 25, 2006

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

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AZ CORP COMMISSION
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BRIAN C. McNEIL
EXECUTIVE DIRECTOR

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 JEFF HATCH-MILLER, Chairman
4 WILLIAM A. MUNDELL
5 MARC SPITZER
6 MIKE GLEASON
7 KRISTIN K. MAYES

8 IN THE MATTER OF THE APPLICATION OF
9 SANDRA MANSFIELD dba S&R
10 COMMUNICATION FOR THE CANCELLATION
11 OF THE CERTIFICATE OF CONVENIENCE AND
12 NECESSITY TO PROVIDE CUSTOMER-OWNED
13 PAY TELEPHONE SERVICE IN THE STATE OF
14 ARIZONA.

DOCKET NO. T-04128A-04-0035

DECISION NO. _____

ORDER

15 Open Meeting
16 January 24 and 25, 2006
17 Phoenix, Arizona

18 **BY THE COMMISSION:**

19 Having considered the entire record herein and being fully advised in the premises, the
20 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

21 FINDINGS OF FACT

22 1. Sandra Mansfield dba S&R Communications ("Applicant") has a Certificate of
23 Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT")
24 service in the State of Arizona pursuant to Decision No. 65462 (December 19, 2002).

25 2. On January 20, 2004, Applicant filed with the Commission an application for
26 cancellation of its Certificate. Applicant indicated that it no longer provides COPT service in the
27 State of Arizona and is not requesting authority to sell its COPT assets.

28 3. On December 28, 2005, the Commission's Utilities Division Staff ("Staff") filed a
Staff Report, recommending approval of the application to cancel Applicant's Certificate without a
hearing.

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.

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

1 application.

2 3. The cancellation of Applicant's Certificate is in the public interest.

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

5 5. Staff's recommendation in Findings of Fact No. 3 is reasonable and should be
6 adopted.

7 **ORDER**

8 IT IS THEREFORE ORDERED that the application of Sandra Mansfield dba S&R
9 Communication for the cancellation of the Certificate of Convenience and Necessity to provide
10 customer-owned pay telephone service shall be, and is hereby, approved.

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

12 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

13
14 CHAIRMAN

COMMISSIONER

15
16
17 COMMISSIONER

COMMISSIONER

COMMISSIONER

18
19 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
20 Director of the Arizona Corporation Commission, have
21 hereunto set my hand and caused the official seal of the
22 Commission to be affixed at the Capitol, in the City of Phoenix,
23 this ____ day of _____, 2006.

24
25 _____
26 BRIAN C. McNEIL
27 EXECUTIVE DIRECTOR

28 DISSENT _____

DISSENT _____

AB:mj

1 SERVICE LIST FOR: SANDRA MANSFIELD dba S&R COMMUNICATION

2 DOCKET NO.: T-04128A-04-0035

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