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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

FEB 02 2006

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

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
PAUL FOGGE dba WOD SYSTEMS FOR THE
CANCELLATION OF THE CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
CUSTOMER-OWNED PAY TELEPHONE
SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-02891A-05-0807

DECISION NO. 68454

ORDER

Open Meeting
January 24 and 25, 2006
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. Paul Fogge dba WOD Systems ("Applicant") has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No. 59194 (August 8, 1995).

2. On November 2, 2005, Applicant filed with the Commission an application for cancellation of its Certificate. Applicant indicated that it no longer provides COPT service in the State of Arizona and is not requesting authority to sell its COPT assets.

3. On December 8, 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 Paul Fogge dba WOD Systems for the
9 cancellation of the Certificate of Convenience and Necessity to provide customer-owned pay
10 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

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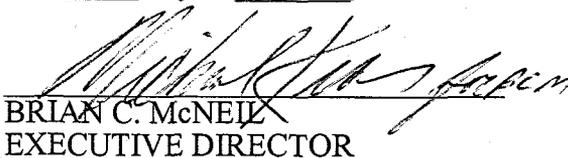
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18 COMMISSIONER

COMMISSIONER

COMMISSIONER

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 2nd day of Feb., 2006.

24 
25 BRIAN C. McNEIL
26 EXECUTIVE DIRECTOR

27 DISSENT _____

28 DISSENT _____

AB:mj

1 SERVICE LIST FOR: PAUL FOGGE dba WOD SYSTEMS

2 DOCKET NO.: T-02891A-05-0807

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5 Apache Junction, AZ 85219

6 Christopher Kempley, Chief Counsel
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10 Phoenix, Arizona 85007

11 Ernest G. Johnson, Director
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