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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

DOCKETED

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

FEB 02 2006

DOCKETED BY	CR
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IN THE MATTER OF THE APPLICATION OF
PAUL J. PHILLIPS dba PHILMAR
COMMUNICATIONS 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-02894A-05-0789

DECISION NO. 68455

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 J. Phillips dba Philmar Communications ("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. 59195 (August 8, 1995).

2. On October 27, 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.

3. On December 7, 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 J. Phillips dba Philmar
9 Communications 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 
COMMISSIONER


COMMISSIONER


COMMISSIONER

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18 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
19 Director of the Arizona Corporation Commission, have
20 hereunto set my hand and caused the official seal of the
Commission to be affixed at the Capitol, in the City of Phoenix,
this 2nd day of Feb., 2006.

21
22 
BRIAN C. McNEIL
EXECUTIVE DIRECTOR

23
24 DISSENT _____

25
26 DISSENT _____

27 AB:mj

1 SERVICE LIST FOR:

PAUL J. PHILLIPS dba PHILMAR COMMUNICATIONS

2 DOCKET NO.:

T-02894A-05-0789

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11 Ernest G. Johnson, Director
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