

ORIGINAL  
OPEN MEETING ITEM



0000043721

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



ARIZONA CORPORATION COMMISSION

DATE: FEBRUARY 27, 2006

DOCKET NO: T-03380A-03-0513

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:

NORTH AMERICAN COMMUNICATIONS CONTROL, INC.  
(CANCEL CC&N)

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 ten (10) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

MARCH 8, 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 Working Session and Open Meeting to be held on:

MARCH 15, 2006 and MARCH 16, 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 Secretary's Office at (602) 542-3931.

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AZ CORP COMMISSION  
DOCUMENT CONTROL

BRIAN C. McNEIL  
EXECUTIVE DIRECTOR

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**BEFORE THE ARIZONA CORPORATION COMMISSION**

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF  
NORTH AMERICAN COMMUNICATIONS  
CONTROL, INC. FOR CANCELLATION OF ITS  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE RESOLD  
COMPETITIVE TELECOMMUNICATIONS  
SERVICES IN THE STATE OF ARIZONA.

DOCKET NO. T-03380A-03-0513

DECISION NO. \_\_\_\_\_

ORDER

Open Meeting  
March 15 and 16, 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. North American Communications Control, Inc. ("Applicant") has a Certificate of Convenience and Necessity ("Certificate") to provide resold competitive telecommunications services in the State of Arizona pursuant to Decision No. 61812 (June 29, 1999).
2. On July 25, 2003, Applicant filed an application for cancellation of its Certificate, indicating that it does not have any customers in Arizona.
3. On December 23, 2005, Staff filed a letter in this docket stating that Staff had been unable to reach Applicant via telephone and requesting that Applicant contact Staff regarding its application.
4. On February 9, 2006, Staff filed a Staff Report, stating that although it was unable to obtain a response from Applicant and its certified letter sent to applicant was returned to Staff unopened and marked Return to Sender, it recommended approval of the application to cancel Applicant's Certificate without a hearing.
5. Numerous other carriers in Arizona offer services similar to those that Applicant is

1 currently certificated to provide.

2 6. No Arizona customers will be affected by the requested cancellation.

3 **CONCLUSIONS OF LAW**

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

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

8 3. The cancellation of Applicant's CC&N is in the public interest.

9 4. Pursuant to A.R.S. § 40-282, the Commission may issue this Decision without a  
10 hearing.

11 5. Staff's recommendation is reasonable and should be adopted.

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**ORDER**

IT IS THEREFORE ORDERED that the Certificate of Convenience and Necessity granted to North American Communications Control, Inc. in Decision No. 61812 is hereby cancelled.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

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

\_\_\_\_\_  
BRIAN C. McNEIL  
Executive Director

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

AB: mj

1 SERVICE LIST FOR:

NORTH AMERICAN COMMUNICATIONS  
CONTROL, INC.

2 DOCKET NO.:

T-03380A-03-0513

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