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BEFORE THE ARIZONA CORPORATION COMMISSION

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2006 FEB 23 P 4: 32

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AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION
OF ONE POINT COMMUNICATIONS-
COLORADO, LLC TO DISCONTINUE
COMPETITIVE FACILITIES-BASED
AND RESALE INTRASTATE,
INTERLATA AND INTRALATA
TELECOMMUNICATIONS SERVICES
AND LOCAL EXCHANGE SERVICES
AND TO CANCEL CERTIFICATE OF
CONVENIENCE AND NECESSITY

Docket No. T-03475A-06-0104

APPLICATION TO DISCONTINUE
SERVICES AND TO CANCEL
CERTIFICATE OF CONVENIENCE
AND NECESSITY

REQUEST FOR WAIVER

OnePoint Communications-Colorado, LLC (doing business as Verizon Ave.) ("OPC" or "the Company") filed a Notice of Filing ("Notice") with the Arizona Corporation Commission ("Commission") on February 17, 2006, notifying the Commission that the Company will be filing an application for authorization to discontinue all telecommunications services effective May 1, 2006. On April 30, 1999, OPC filed an application with the Commission for a Certificate of Convenience and Necessity ("CC&N") to provide statewide competitive facilities-based and resale intrastate interLATA and intraLATA telecommunications services and local exchanges services. The Commission granted the CC&N on October 21, 1999 in Decision No. 62086. This Decision requires OPC to notify each of its customers and the Commission

1 sixty days prior to filing an application to discontinue service. The act of filing the
2 application, however, does not, in and of itself, terminate service.

3 Under this provision, OPC must wait until April 18, 2006, to file an application
4 with the Commission to discontinue service and cancel its CC&N. The Company is
5 requesting the Commission waive the sixty day notice prior to filing an application.
6 OPC is seeking this waiver so as to coordinate its efforts in Arizona with FCC
7 requirements and other states across the nation. Customer notification and transfer is
8 already underway in a number of those states, and the plan is to complete this process as
9 quickly as possible consistent with state and FCC requirements.

10 The Company sent notice to its Arizona customers on February 16, 2006, 74 days
11 in advance of the proposed termination date, and will be sending two additional notices,
12 one 60 days and one 30 days, prior to termination. In addition to those notices, OPC will
13 be providing a notice on the monthly bills, as well as calling customers with an
14 automatic electronic telephone message two weeks prior to the effective date. The
15 Company will also publish notice pursuant to A.A.C. R14-2-1107(B). OPC believes it is
16 fulfilling the Commission's intent by providing substantially more notice to customers
17 than is required by law.

18 As of the date of this Request, OPC provides resold residential local exchange
19 and long distance services to 80 customers in the Phoenix and Tucson metropolitan
20 areas. As stated in the Notice, the Company will be exiting the resale of voice services
21 on a nationwide basis and is not actively marketing these services. Commission Staff
22 provided a list of approximately 70 alternative providers that can potentially serve OPC
23 customers in Arizona. With the voluminous amount of alternative providers and with
24 number portability, OPC believes that its customers will have an adequate choice of
25 alternate providers.

26 For these reasons, OPC requests that the Commission waive the sixty day waiting
27 period after Notice for filing its application and permit the Company to file the
28

1 application to discontinue services and cancel its CC&N before April 18, 2006.

2 RESPECTFULLY SUBMITTED this 23rd day of February, 2006

3 SNELL & WILMER, L.L.P.

4 

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8 On Behalf of OnePoint Communications – Colorado,
9 doing business as Verizon Avenue

10 ORIGINAL and 13 copies filed
11 February 23, 2006, with:

12 Docket Control
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15 COPY hand-delivered to:

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