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JIM IRVIN
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BRIAN C. McNEIL
EXECUTIVE SECRETARY

ARIZONA CORPORATION COMMISSION JUN 11 A 11:59

AZ CORP COMMISSION
DOCKET CONTROL

DATE: June 11, 2002
DOCKET NO: T-04068A-01-0924
TO ALL PARTIES:

6-13-02

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

AMERICAN COMMUNICATIONS OF OHIO, INC.
(CC&N/COPT)

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:

JUNE 20, 2002

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:

JUNE 25 AND 26, 2002

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250.

Arizona Corporation Commission

DOCKETED

JUN 11 2002

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BRIAN C. McNEIL
EXECUTIVE SECRETARY

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 WILLIAM A. MUNDELL
CHAIRMAN

3 JIM IRVIN
COMMISSIONER

4 MARC SPITZER
COMMISSIONER

5
6 IN THE MATTER OF THE APPLICATION OF
7 AMERICAN COMMUNICATIONS OF OHIO,
8 INC. FOR A CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE CUSTOMER-
OWNED PAY TELEPHONE SERVICE IN THE
STATE OF ARIZONA

DOCKET NO. T-04068A-01-0924

DECISION NO. _____

ORDER

9 Open Meeting
10 June 25 and 26, 2002
Phoenix, Arizona

11 **BY THE COMMISSION:**

12 Having considered the entire record herein and being fully advised in the premises, the
13 Commission finds, concludes, and orders that:

14 **FINDINGS OF FACT**

15 1. On November 21, 2001, American Communications of Ohio, Inc. ("Applicant") filed
16 with the Commission an application for a Certificate of Convenience and Necessity ("Certificate") to
17 provide customer-owned pay telephone ("COPT") service in the State of Arizona.

18 2. In Decision No. 55817 (December 10, 1987), the Commission found that COPT
19 providers were public service corporations subject to the jurisdiction of the Commission.

20 3. In Decision No. 57797 (April 8, 1992), the Commission adopted A.A.C. R14-2-901
21 through R14-2-909 to regulate COPT providers.

22 4. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes
23 rates and minimum service standards applicable to COPT service.

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

26 6. Applicant has requested that a Certificate be granted and has indicated that it will
27 provide COPT service pursuant to the rates, terms and conditions specified in the Generic COPT
28 Tariff.

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ORDER

IT IS THEREFORE ORDERED that the Application of American Communications of Ohio, Inc. for a Certificate of Convenience and Necessity for authority to provide customer-owned pay telephone service in Arizona shall be, and the same is, hereby granted

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this ____ day of _____, 2002.

BRIAN C. McNEIL
EXECUTIVE SECRETARY

DISSENT _____
MES:dap

1 SERVICE LIST FOR: AMERICAN COMMUNICATIONS OF OHIO, INC.

2 DOCKET NO.: T-04068A-01-0924

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5 American Communications of Ohio, Inc.
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