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ARIZONA CORPORATION COMMISSION
UTILITY DIVISION

TO: Docket Control
THRU: Matt Rowell
Chief Economist
FROM: Ernest G. Johnson
Director
Utilities Division

MR

EGJ

DATE: March 29, 2002

RE: STAFF REPORT FOR SCOTT FERGUSON DBA CEN-TEX PAY TELEPHONE CO., INC. APPLICATION TO OBTAIN A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR CUSTOMER OWNED PAY TELEPHONE (DOCKET NO. T-04083A-02-0097)

On February 6, 2002, Scott Ferguson dba Cen-Tex Pay Telephone Co., Inc. ("Applicant") filed an application to obtain a Certificate of Convenience and Necessity for a customer owned pay telephone ("COPT"). On February 27, 2002, Staff confirmed that the Applicant does not have any COPTs at this time. The Applicant provided a copy of its customer information placard with its application. The customer information placard is in compliance with the Generic Tariff. The Applicant has indicated on its application that it will provide service in accordance with the rates, charges, terms, and conditions contained within the Generic Tariff.

Staff believes that certain benefits in the form of increased pay telephone availability will accrue to the public, and that the issuance of a Certificate is in the public interest. Therefore, Staff recommends approval of the application without a hearing.

EGJ:JFB

Originator: John Bostwick

Attachment: Original and eleven copies

Arizona Corporation Commission
DOCKETED

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ARIZONA CORPORATION COMMISSION RECEIVED

APPLICATION

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SHORT FORM FOR PAY TELEPHONE PROVIDERS ARIZONA CORPORATION COMMISSION
DOCUMENT CONTROL

Mail or deliver an original and 10 copies of this completed application with a "COVER SHEET" to:

Docket Control Center
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

T-04083A-02-0097

I. List the name, address and telephone number of the person or entity (Applicant) that subscribes to the phone line from the local exchange company, indicate Business Name (if different than Applicant):

SCOTT FERGUSON
(Applicant's Name)
101 STERLING BROWNING
(Applicant's Address)
SAN ANTONIO, TEXAS 78232
(Applicant's Address)

CEN-TEX PAY TELEPHONE CO, INC.
(Business Name if different than Applicant's Name)

(210) 691 - 2829
(Applicant's Telephone Number)

II. If you intend on having an attorney represent you in this application, list the attorney's name, address and telephone number:

(Attorney's Name)

(Attorney's Address)

(Attorney's Address)

() _____
(Attorney's Telephone Number)

III. What type of entity is the Applicant?

- SOLE PROPRIETORSHIP; PARTNERSHIP; LIMITED LIABILITY COMPANY; or
 CORPORATION: By checking this box, you certify that you have a current copy of your Articles of Incorporation on file with the Arizona Corporation Commission's Corporations Division: Arizona Corporation; or Foreign Corporation.

IV. SELECT ONE THAT APPLIES:

- GENERIC/STREAMLINED TARIFF: By checking this box, the Applicant states it intends to provide public pay telephone service in the State of Arizona under the rates, terms, and conditions as set forth in the COPT Generic Tariff, and A.A.C. R14-2-901. et.seq., and hereby concurs in that Tariff. The Applicant understands that requests to provide service under conditions other than those set forth in the COPT Generic Tariff may be approved only by

specific order of the Arizona Corporation Commission pursuant to A.A.C. R14-2-901. et. seq.;
or

- [] CUSTOMIZED TARIFF: By checking this box, the Applicant states it intends to provide pay telephone service in the State of Arizona under a Special (non-streamlined) Tariff, A.A.C. R14-2-901. et. seq., and submits with this application its proposed Special (non-streamlined) COPT Tariff for services to be offered and does not concur in the Generic Tariff; or
- [] By checking this box, the Applicant states that it is NOT PROVIDING PUBLIC PAY TELEPHONE SERVICE, and hereby states that it is not a public service corporation, and swears and affirms that it is not offering its pay telephone service to the public and its primary business is not providing public pay telephone service. NOTE: Applicant may be subject to fines or other penalties if it is operating as a Public Service Corporation without a Certificate of Convenience and Necessity.

V. NOTICING

- [] By checking this box the Applicant states that it has placed the prescribed notice of the application at each pay telephone location (See instruction sheet: "NOTICE"). Attach ONE copy of a list of the addresses where you provide pay telephone service; OR
- [] By checking this box the applicant indicates it does NOT have any COPTs at this time.

VI. Attach one copy or sample of the customer information placard, which will be located on the pay telephone, that describes the services you offer and the instructions for operation. If you have checked the box to conform to the Generic Tariff, the placard must conform to: Para. III. items; C., D., J., K., and M.; plus Para. IV. C., items 1. through 7. of the Generic Tariff.

Scott Ferguson President
(Signature of Applicant and Title)

SCOTT FERGUSON
(Type or Print Your Name)

DO NOT WRITE IN THIS SPACE

STAFF RECOMMENDATIONS

By checking this box, the Applicant is requesting a hearing because it objects to the Staff Recommendations or other reasons. The request for a hearing and any objections to these Recommendations must be filed within 20 days from the date of this report. If the request is not made within 20 days, the Commission may decide the matter without a hearing unless a hearing is requested by Staff or an Intervenor.

SERVICE LIST FOR: SCOTT FERGUSON DBA CEN-TEX PAY TELEPHONE CO., INC.
DOCKET NO. T-04083A-02-0097

Mr. Scott Ferguson dba Cen-Tex pay Telephone Co., Inc.
101 Sterling Browning
San Antonio, Texas 78232

Mr. Ernest G. Johnson
Arizona Corporation Commission
Utilities Division
1200 West Washington
Phoenix, Arizona 85007

Mr. Christopher C. Kempley
Arizona Corporation Commission
Legal Division
1200 West Washington
Phoenix, Arizona 85007

Ms. Lyn Farmer
Chief Administrative Law Judge
Arizona Corporation Commission
Hearing Division
1200 West Washington
Phoenix, Arizona 85007