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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

MAY 05 2006

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF TELEPHONE COMPANY OF CENTRAL FLORIDA, INC. FOR CANCELLATION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE RESOLD INTEREXCHANGE TELECOMMUNICATIONS SERVICES WITHIN THE STATE OF ARIZONA.

DOCKET NO. T-03441A-05-0638

DECISION NO. 68700

ORDER

Open Meeting
May 2 and 3, 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. On March 30, 2001, the Commission issued Decision No. 63526 which granted to Telephone Company of Central Florida, Inc. a/k/a Epicus, Inc. ("TCCF") a Certificate of Convenience and Necessity ("Certificate") to provide competitive intrastate telecommunications services as a reseller in the State of Arizona.
2. On September 2, 2005, TCCF filed an application to cancel its Certificate.
3. On September 13, 2005, the Commission's Utilities Division Staff ("Staff") issued a Letter of Insufficiency and First Set of Data Requests to TCCF.
4. On September 27, 2005, TCCF filed its Response to Staff's First Set of Data Requests and asked for a waiver of the requirement to publish legal notice of its cancellation application, pursuant to R14-2-1107(B).
5. On March 17, 2006, Staff filed a Memorandum in this docket recommending approval of TCCF's application and the requested waiver. Staff stated that TCCF's response indicated that

1 TCCF never collected advances, deposits and/or prepayments; had only 44 residential and one  
2 business customer in its last month of providing long distance; does not have any other affiliates  
3 currently offering telecommunication service in Arizona; is in the process of discontinuing long  
4 distance service in 41 states;<sup>1</sup> is still in Chapter 11 reorganization; and customers in Arizona were  
5 mailed "Notification letters of discontinuance of long distance service".<sup>2</sup>

6 6. Staff recommended approval of the waiver as requested, because direct mail had been  
7 sent to all customers explaining TCCF's business change, and numerous long distance service  
8 alternatives are available for customers.

9 7. Numerous other carriers in Arizona offer services similar to those that Applicant is  
10 currently certificated to provide.

11 8. Given the direct mail notification to customers, it does not appear any Arizona  
12 customers have been adversely affected by the requested cancellation.

13 **CONCLUSIONS OF LAW**

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

16 2. The Commission has jurisdiction over Applicant and the subject matter of the  
17 application.

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

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

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

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28 <sup>1</sup> Service will continue in states within BellSouth's Regional Bell Operating Company (RBOC) region.

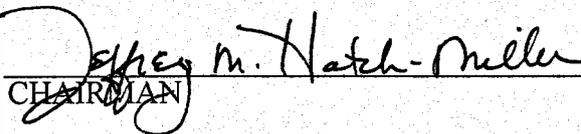
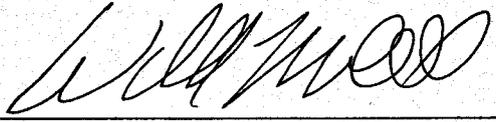
<sup>2</sup> TCCF provided a sample of the letter in its Response to Staff's First Set of Data Requests.

ORDER

IT IS THEREFORE ORDERED that the Certificate of Convenience and Necessity granted to Telephone Company of Central Florida, Inc. in Decision No. 63526 is hereby cancelled.

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

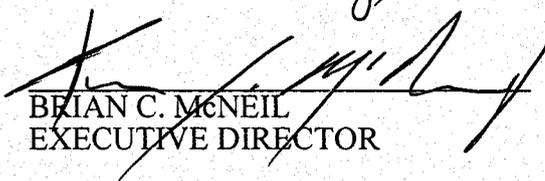
BY ORDER OF THE ARIZONA CORPORATION COMMISSION.


  
 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 the Commission to be affixed at the Capitol, in the City of Phoenix, this 5<sup>th</sup> day of May, 2006.

  
 BRIAN C. McNEIL  
 EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

AB:mj

1 SERVICE LIST FOR: TELEPHONE COMPANY OF CENTRAL FLORIDA,  
2 INC.

3 DOCKET NO.: T-03441A-05-0638

4 Barbara Greene  
5 Regulatory Manager  
6 TCCF  
7 610 Crescent Executive Court, Ste. 300  
8 Lake March, FL 32746

9 Christopher Kempley, Chief Counsel  
10 Legal Division  
11 ARIZONA CORPORATION COMMISSION  
12 1200 West Washington Street  
13 Phoenix, AZ 85007

14 Ernest G. Johnson, Director  
15 Utilities Division  
16 ARIZONA CORPORATION COMMISSION  
17 1200 West Washington  
18 Phoenix, AZ 85007  
19  
20  
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22  
23  
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