

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

MARC SPITZER, Chairman
JIM IRVIN
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

Arizona Corporation Commission

DOCKETED

MAY 14 2003

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AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF
TELIGENT SERVICES, INC. FOR
CANCELLATION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. T-03761A-01-0911

PROCEDURAL ORDER

BY THE COMMISSION:

On November 16, 2001, Teligent Services, Inc. ("Applicant") filed for emergency authority to discontinue the provision of local exchange service.

On January 11, 2002, Staff filed its Staff Report in this matter. Staff recommended approval of Applicant's request to discontinue local exchange service. Staff also recommended that Applicant's Certificate of Convenience and Necessity ("Certificate") to provide local exchange service be rescinded.

On February 8, 2002, Applicant filed exceptions to the Staff Report. Specifically, Applicant requested that Staff reconsider its decision to recommend the cancellation of Applicant's Certificate to provide local exchange services. Applicant relied upon the pending reemergence plan that was pending approval by the Bankruptcy Court.

On August 1, 2002, the Commission issued a Procedural Order that ordered Applicant to file a memorandum by August 21, 2002 updating the Commission regarding the Bankruptcy Court proceedings.

On August 20, 2002, Applicant filed a memorandum that stated that the Bankruptcy Court had set a hearing to formally consider Applicant's plan of reorganization for September 5, 2002. Applicant stated that it would provide the Commission further updated information about the September 5, 2002 hearing as soon as possible.

On September 12, 2002, Applicant filed an additional memorandum regarding its plan of

1 reorganization and reemergence from bankruptcy. In the memorandum, the Applicant stated that the
2 Bankruptcy Court confirmed Applicant's plan of reorganization on September 5, 2002. Applicant
3 attached a copy of the first and last page of the confirmation order from the Bankruptcy Court in its
4 September 12, 2002 filing. Applicant stated that it will emerge from Chapter 11, fully funded,
5 carrying no debt, and anxious to begin growing the services it has continued to provide throughout
6 the Chapter 11 process; rebuilding its 74 fixed-wireless markets; and introducing new services that
7 the marketplace demands.

8 On January 21, 2003, by Procedural Order, Staff was ordered to file an amended Staff Report.

9 On February 14, 2003, Staff filed an amended Staff Report again recommending Applicant's
10 Certificate be rescinded.

11 On March 14, 2003, Applicant filed a Request for Hearing.

12 On March 18, 2003, by Procedural Order, a hearing was scheduled for May 15, 2003.

13 On May 9, 2003, counsel for Teligent Services, Inc. filed a motion requesting that their
14 witnesses appear telephonically. The Motion states that Staff does not oppose the request.

15 IT IS THEREFORE ORDERED that any witnesses appearing for Teligent Services, Inc. at
16 the May 15, 2003 hearing may appear telephonically.

17 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
18 Communications) is still in effect.

19 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend or waive
20 any portion of this Procedural Order by subsequent Procedural Order or by ruling at hearing.

21 DATED this 14 day of May, 2003.

22
23 
24 PHILIP J. DION III
ADMINISTRATIVE LAW JUDGE

25 Copies of the foregoing mailed
26 this 14 day of May, 2003 to:

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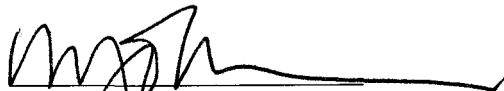
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By: 
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Secretary to Philip J. Dion III