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OPEN MEETING ITEM

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ORIGINAL

BRIAN C. MCNEIL  
Executive Secretary

MARCO SPITZER  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTIN K. MAYES

ARIZONA CORPORATION COMMISSION

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2003 NOV 13 P 3:06

AZ CORP COMMISSION  
DOCUMENT CONTROL

DATE: November 13, 2003

DOCKET NO: T-03821A-03-0499

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Philip J. Dion III. The recommendation has been filed in the form of an Order on:

NETWORK ACCESS SOLUTIONS  
(CC&N CANCELLATION)

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 thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

NOVEMBER 24, 2003

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 Open Meeting to be held on:

DECEMBER 2 AND 3, 2003

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Secretary's Office at (602) 542-3931.

Arizona Corporation Commission

DOCKETED

NOV 13 2003

BRIAN C. MCNEIL  
EXECUTIVE SECRETARY

DOCKETED BY

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347

[www.cc.state.az.us](http://www.cc.state.az.us)

This document is available in alternative formats by contacting Yvonne McFarlin, ADA Coordinator, voice phone number 602-542-3931, E-mail [YMcFarlin@cc.state.az.us](mailto:YMcFarlin@cc.state.az.us)

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 MARC SPITZER, Chairman  
4 WILLIAM A. MUNDELL  
5 JEFF HATCH-MILLER  
6 MIKE GLEASON  
7 KRISTIN K. MAYES

8 IN THE MATTER OF THE APPLICATION OF  
9 NETWORK ACCESS SOLUTIONS FOR  
10 CANCELLATION OF ITS CERTIFICATE OF  
11 CONVENIENCE AND NECESSITY.

DOCKET NO.T-03821A-03-0499

DECISION NO. \_\_\_\_\_

12 ORDER

13 Open Meeting  
14 December 2 and 3, 2003  
15 Phoenix, Arizona

16 **BY THE COMMISSION:**

17 Having considered the entire record herein and being fully advised in the premises, the  
18 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

19 FINDINGS OF FACT

20 1. On August 25, 2000, in Decision No. 62864, the Commission granted to Network  
21 Access Solutions ("NAS" or "Applicant") a Certificate of Convenience and Necessity ("CC&N")  
22 authorizing it to provide facilities-based and resold intrastate telecommunications services in  
23 Arizona.

24 2. On July 21, 2003, Applicant filed with the Commission an application to cancel its  
25 Certificate. The application stated that Applicant is no longer providing facilities-based or resold  
26 telecommunications services in Arizona and has no customers.

27 3. On November 12, 2003, the Commissioner's Utilities Division ("Staff") filed a Staff  
28 Report in this matter.

1 In the Staff Report, Staff verified that Applicant does not service any Arizona  
2 customers and is no longer doing business in Arizona. Staff has indicated there are no open  
3 complaints or inquiries concerning NAS. In addition, Staff stated that there are numerous other  
4 carriers offering services similar to Applicant's in Arizona.





1 SERVICE LIST FOR: NETWORK ACCESS SOLUTIONS

2 DOCKET NO.: T-03821A-03-0499

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13 Ernest G. Johnson, Director  
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