

OPEN MEETING ITEM



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COMMISSIONERS  
JEFF HATCH-MILLER - Chairman  
WILLIAM A. MUNDELL  
MIKE GLEASON  
KRISTIN K. MAYES  
GARY PIERCE



ARIZONA CORPORATION COMMISSION

22

DATE: FEBRUARY 20, 2007

ORIGINAL

DOCKET NO: T-03834A-06-0293

TO ALL PARTIES:

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

D-TEL COMMUNICATIONS  
(CANCEL CC&N)

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:

MARCH 1, 2007

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:

MARCH 13, 2007 AND MARCH 14, 2007

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.

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BRIAN C. McNEIL  
EXECUTIVE DIRECTOR

Arizona Corporation Commission

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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

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

8 IN THE MATTER OF THE APPLICATION OF D-  
9 TEL COMMUNICATIONS FOR THE  
10 CANCELLATION OF THE CERTIFICATE OF  
11 CONVENIENCE AND NECESSITY TO PROVIDE  
12 CUSTOMER-OWNED PAY TELEPHONE  
13 SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-03834A-06-0293

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

ORDER

14 Open Meeting  
15 March 13, and 14, 2007  
16 Phoenix, Arizona

17 **BY THE COMMISSION:**

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

20 FINDINGS OF FACT

21 1. D-Tel Communications ("Applicant") has a Certificate of Convenience and Necessity  
22 ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona  
23 pursuant to Decision No. 62352 (March 6, 2000).

24 2. On April 28, 2006, Applicant filed with the Commission an application for  
25 cancellation of its Certificate. Applicant indicated that it no longer provides COPT service in the  
26 State of Arizona.

27 3. On February 15, 2007, the Commission's Utilities Division Staff ("Staff") filed a Staff  
28 Report, recommending approval of the application to cancel Applicant's Certificate without a  
hearing.

CONCLUSIONS OF LAW

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

2 The Commission has jurisdiction over Applicant and the subject matter of the

1 application.

2 3. The cancellation of Applicant's Certificate is in the public interest.

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

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

6 **ORDER**

7 IT IS THEREFORE ORDERED that the application of D-Tel Communications for the  
8 cancellation of the Certificate of Convenience and Necessity to provide customer-owned pay  
9 telephone service shall be, and is hereby, approved.

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

11 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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14 CHAIRMAN

COMMISSIONER

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17 COMMISSIONER

COMMISSIONER

COMMISSIONER

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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 \_\_\_\_ day of \_\_\_\_\_, 2007.

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\_\_\_\_\_  
BRIAN C. McNEIL  
EXECUTIVE DIRECTOR

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DISSENT \_\_\_\_\_

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DISSENT \_\_\_\_\_

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1 SERVICE LIST FOR: D-TEL COMMUNICATIONS

2 DOCKET NO.: T-03834A-06-0293

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