

OPEN MEETING ITEM



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COMMISSIONERS
MARC SPITZER - Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES



ORIGIN/

ARIZONA CORPORATION COMMISSION

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2003 DEC 30 A 10: 54

DATE: December 30, 2003

DOCKET NO: T-02870A-03-0585

AZ CORP COMMISSION
DOCUMENT CONTROL

TO ALL PARTIES:

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

PUBLIC TELEPHONE AND ADVERTISING, LLC dba P.T.A
(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:

JANUARY 8, 2004

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:

JANUARY 13 and 14, 2004

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

DEC 30 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

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

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 PUBLIC TELEPHONE AND ADVERTISING, LLC
10 DBA P.T.A. FOR THE CANCELLATION OF THE
11 CERTIFICATE OF CONVENIENCE AND
12 NECESSITY TO PROVIDE CUSTOMER-OWNED
13 PAY TELEPHONE SERVICE IN THE STATE OF
14 ARIZONA.

DOCKET NO. T-02870A-03-0585

DECISION NO. _____

ORDER

15 Open Meeting
16 January 13 and 14, 2004
17 Phoenix, Arizona

18 **BY THE COMMISSION:**

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

21 FINDINGS OF FACT

22 1. Public Telephone and Advertising, LLC dba P.T.A. ("Applicant") has a Certificate of
23 Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT")
24 service in the State of Arizona pursuant to Decision No. 59334 (October 11, 1995).

25 2. On August 18, 2003, Applicant filed with the Commission an application for the
26 cancellation of the Certificate, indicating that it no longer provides COPT service in the State of
27 Arizona.

28 3. On December 12, 2003, the Commission's Utilities Division Staff ("Staff") filed a
Staff 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 in Findings of Fact No. 3 is reasonable and should be
6 adopted.

7 **ORDER**

8 IT IS THEREFORE ORDERED that the application of Public Telephone and Advertising,
9 LLC dba P.T.A. for the cancellation of the Certificate of Convenience and Necessity to provide
10 customer-owned pay telephone service shall be, and is hereby, approved.

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

12 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

13
14 CHAIRMAN

COMMISSIONER

COMMISSIONER

15
16 COMMISSIONER

COMMISSIONER

17
18 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
19 Secretary of the Arizona Corporation Commission, have
20 hereunto set my hand and caused the official seal of the
21 Commission to be affixed at the Capitol, in the City of Phoenix,
22 this ____ day of _____, 2004.

23
24 _____
25 BRIAN C. McNEIL
26 EXECUTIVE SECRETARY

27 DISSENT _____

28 DISSENT _____

AP:mj

1 SERVICE LIST FOR: PUBLIC TELEPHONE AND ADVERTISING, LLC DBA
P.T.A.

2 DOCKET NO.: T-02870A-03-0585

3
4 Richard Harris
Public Telephone and Advertising, LLC dba P.T.A.
2581 W. County 17 3/4 Street
5 Somerton, Arizona 85350

6 Christopher Kempley, Chief Counsel
Legal Division
7 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
8 Phoenix, Arizona 85007

9 Ernest G. Johnson, Director
Utilities Division
10 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
11 Phoenix, Arizona 85007

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