

ORIGINAL
OPEN MEETING ITEM



0000075711

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



ARIZONA CORPORATION COMMISSION **RECEIVED**

22

2007 AUG -6 P 2: 28

DATE: AUGUST 6, 2007

DOCKET NO: T-04090A-07-0047

AZ CORP COMMISSION
DOCKET CONTROL

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:

INFONE, LLC
(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:

AUGUST 15, 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:

AUGUST 21, 2007 and AUGUST 22, 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 Director's Office at (602) 542-3931.

Arizona Corporation Commission
DOCKETED

AUG - 6 2007

BRIAN C. McNEIL
EXECUTIVE DIRECTOR

DOCKETED BY

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

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

8 IN THE MATTER OF THE APPLICATION OF
9 INFONE LLC FOR APPROVAL TO CANCEL ITS
10 CERTIFICATE OF CONVENIENCE AND
11 NECESSITY TO PROVIDE RESOLD LONG
12 DISTANCE TELECOMMUNICATIONS
13 SERVICES IN THE STATE OF ARIZONA.

DOCKET NO. T-04090A-07-0047

DECISION NO. _____

ORDER

14 Open Meeting
15 August 21 and 22, 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. In Decision No. 65107 (August 22, 2002), the Commission granted to Infone, LLC
22 ("Applicant" or "Company") a Certificate of Convenience and Necessity ("Certificate" or "CC&N")
23 authorizing it to provide resold long distance telecommunications services in Arizona.

24 2. On January 12, 2007, Applicant filed an application with the Commission requesting
25 approval to cancel its CC&N to provide resold long distance telecommunications services and to
26 cancel its tariffs in Arizona.

27 3. On February 6, 2007, the Utilities Division Staff ("Staff") filed an Insufficiency
28 Letter.

1 On April 30, 2007, Applicant filed its data request in response to the Insufficiency
Letter.

2 According to Staff's Report, the Applicant's application indicated that it intended to
discontinue its authority to provide long distance telecommunications services, cancel its CC&N and
withdraw its Arizona Tariff No. 3.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS FURTHER ORDERED that the tariffs of Infone, LLC are 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 this Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2007.

BRIAN C. McNEIL
Executive Director

DISSENT: _____

DISSENT: _____

1 SERVICE LIST FOR: INFONE, LLC
2 DOCKET NO.: T-04090A-07-0047

3 Robin Norton
4 TECHNOLOGIES MANAGEMENT, INC.
5 210 N. Park Avenue
6 Winter Park, FL 32789

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

12 Ernest G. Johnson, Director
13 Utilities Division
14 ARIZONA CORPORATION COMMISSION
15 1200 West Washington Street
16 Phoenix, AZ 85007
17
18
19
20
21
22
23
24
25
26
27
28