



0000076711

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

AUG 28 2007

DOCKETED BY [Signature]

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF ONFIBER CARRIER SERVICES, INC. FOR CANCELLATION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE PRIVATE LINE SERVICES IN THE STATE OF ARIZONA.

DOCKET NO. T-03874A-07-0367

DECISION NO. 69893

ORDER

Open Meeting
August 21 and 22, 2007
Phoenix, Arizona

BY THE COMMISSION:

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

FINDINGS OF FACT

- 1. In Decision No. 67062 (June 25, 2004), the Commission granted to OnFiber Carrier Services, Inc. ("Applicant" or "Company") a Certificate of Convenience and Necessity ("Certificate" or "CC&N") authorizing it to provide private line services in Arizona.
2. On June 14, 2007, Applicant filed an application with the Commission requesting approval to cancel its CC&N to provide competitive private line services and to cancel its tariffs in Arizona.
3. On June 29, 2007, Applicant published legal notice of its intent to cancel its CC&N.
4. Applicant is not conducting business or providing services to customers in Arizona.
5. The Company does not have a performance bond on file with the Commission.
6. Applicant has no outstanding compliance issues filed with the Commission.
7. Staff recommends approval of the Applicant's application for cancellation of its CC&N to provide competitive private line services in Arizona and cancellation of its tariff in Arizona.

1 8. Staff's recommendations are reasonable and should be adopted.

2 CONCLUSIONS OF LAW

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

5 2. A.A.C. R14-2-1107 applies to any telecommunications company providing private
6 line service that intends to discontinue service or to abandon all or a portion of its service area.

7 3. The Commission has jurisdiction over Applicant and the subject matter of the
8 application.

9 4. The cancellation of Applicant's CC&N is in the public interest.

10 ORDER

11 IT IS THEREFORE ORDERED that the application of OnFiber Carrier Services, Inc. for
12 cancellation of its Certificate of Convenience and Necessity to provide private line services in
13 Arizona shall be, and is hereby, granted.

14 ...
15 ...
16 ...
17 ...
18 ...
19 ...
20 ...
21 ...
22 ...
23 ...
24 ...
25 ...
26 ...
27 ...
28 ...

1 IT IS FURTHER ORDERED that the tariffs of OnFiber Carrier Services, Inc. are hereby
2 cancelled.

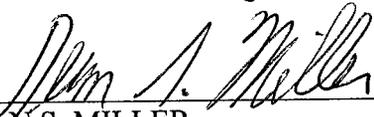
3 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

4 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

5
6  
7 CHAIRMAN COMMISSIONER

8
9   
10 COMMISSIONER COMMISSIONER COMMISSIONER

11 IN WITNESS WHEREOF, I DEAN S. MILLER, Interim
12 Executive Director of the Arizona Corporation Commission,
13 have hereunto, set my hand and caused the official seal of this
14 Commission to be affixed at the Capitol, in the City of Phoenix,
15 this 28 day of August, 2007.

16 
17 DEAN S. MILLER
18 INTERIM EXECUTIVE DIRECTOR

19 DISSENT: _____

20 DISSENT: _____

21 YBK:db

22
23
24
25
26
27
28

1 SERVICE LIST FOR:

ONFIBER CARRIER SERVICES, INC.

2 DOCKET NO.:

T-03874A-07-0367

3
4 Norman G. Curtright
20 East Thomas Road, 16th Floor
5 Phoenix, AZ 85012
Attorney for OnFiber Carrier Services, Inc.

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

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

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28