



BEFORE THE ARIZONA CORPORATION COMMISSION

1
2 MIKE GLEASON
Chairman
3 WILLIAM A. MUNDELL
Commissioner
4 JEFF HATCH-MILLER
Commissioner
5 KRISTIN K. MAYES
Commissioner
6 GARY PIERCE
Commissioner

Arizona Corporation Commission
DOCKETED
OCT 30 2007

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8 STAFF of the Utilities Division,
9
10 Complainant,
11 vs.
12 TOTAL CALL INTERNATIONAL, INC.
Respondent.

DOCKET NO. T-04004A-01-0259
DECISION NO. 69954
ORDER TO SHOW CAUSE

15 Open Meeting
16 October 23 and 24, 2007
Phoenix, Arizona

17 BY THE COMMISSION:

18 FINDINGS OF FACT

- 19 1. Respondent Total Call International, Inc. ("Total Call" or "Company") is a public
20 service corporation as defined by Article XV of the Arizona Constitution and A.R.S. § 40-282.
21 2. On March 27, 2001, Total Call filed with the Commission an application for a
22 CC&N to provide competitive intrastate telecommunications services as a long distance reseller
23 within the State of Arizona.
24 3. On October 4, 2001, in Decision No. 64065, the Commission issued a CC&N to
25 Total Call conditioned upon timely compliance.
26 4. The Company was ordered to file conforming tariffs within 30 days of the effective
27 date of the decision. The due date to file was November 5, 2001, and the Company filed their
28 tariffs on October 17, 2001.

1 5. The Company was ordered to notify the Compliance Section of the Utilities
2 Division of the date it will begin or has begun providing service to Arizona customers within 30
3 days of the effective date of the Commission's Decision. The Company notified the division on
4 November 20, 2001, that it would begin providing service in January 2002. The Company filed a
5 letter on December 20, 2001, indicating that it would begin providing service on January 20, 2002.

6 6. The Company was ordered to file Fair Value Rate Base ("FVRB") information
7 within 18 months of the date it first provides service. The due date for this filing was June 20,
8 2003. The Company filed this information on June 28, 2007.

9 7. The Company was to procure a performance bond equal to \$10,000 and file the
10 bond in Docket Control within 90 days of the effective date of the Decision or 30 days prior to the
11 provision of service, whichever came first. The due date for this filing was December 20, 2001.
12 The Company has yet to procure a performance bond. The Company continues to state that they
13 are working on procuring the bond but have been unable to find a Bond Company that would issue
14 such a small bond.

15 8. On August 9, 2007, Staff again contacted the Company regarding the performance
16 bond and received a similar response that they are working on it and it is not being ignored.

17 9. On August 29, 2007, Attorneys for the Company filed a Motion for waiver of the
18 required performance bond.

19 10. During Staff's investigation it was discovered that the Company had filed another
20 request for a CC&N to provide competitive intrastate telecommunications services as a long
21 distance reseller in Docket NO. T-04224A-06-0098 filed on February 16, 2006. Staff in the newer
22 case filed an insufficiency letter on July 13, 2006. There has been no activity in the docket since
23 that filing. Staff filed a memorandum to administratively close this Docket on October 4, 2007.

24 11. Staff's investigation has concluded that Total Call is currently conducting business
25 in the State of Arizona. The Company's 2006 Annual report indicates the total revenue received
26 from Arizona operations was \$156,539.12.

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CONCLUSIONS OF LAW

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2 1. Total Call is an Arizona public service corporation within the meaning of Article
3 XV, Section 2, of the Arizona Constitution.

4 2. The Commission has jurisdiction over Total Call and over the subject matter of the
5 complaint.

6 3. The Commission, having reviewed the complaint concludes that it is in the public
7 interest to rescind Decision No. 64065 and to cancel the Certificate of Convenience and Necessity
8 of Total Call International Inc.

9 ORDER

10 IT IS THEREFORE ORDERED that Total Call International, Inc. shall appear before the
11 Commission to explain:

- 12 (1) Why its actions do not constitute a violation of Commission Decision No. 64065.
- 13 (2) Why its actions do not represent a violation of A.R.S. § 40-204.
- 14 (3) Why Total Call has failed to file the Performance Bond as required by Decision No.
15 64065.
- 16 (4) Why the Commission should not impose sanctions against Total Call.
- 17 (5) Why the Commission should not render Decision No. 64065 null and void and
18 cancel the Certificate of Convenience and Necessity of Total Call.

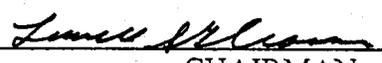
19 IT IS FURTHER ORDERED that if Total Call intends to appear as ordered above, it shall
20 file within 10 days of the effective date of this Order a preliminary statement explaining its
21 position. This filing must include an Answer to Staff's Complaint if the Respondent has not yet
22 filed an Answer.

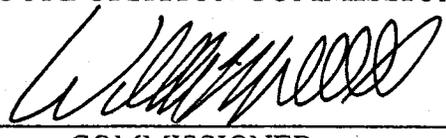
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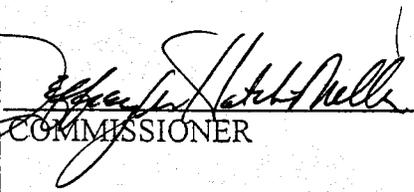
1 IT IS FURTHER ORDERED that the Hearing Division shall schedule further appropriate
2 proceedings.

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

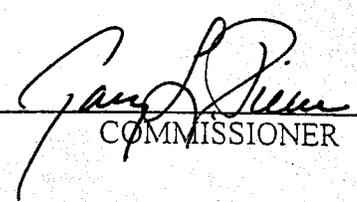
4 BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

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CHAIRMAN

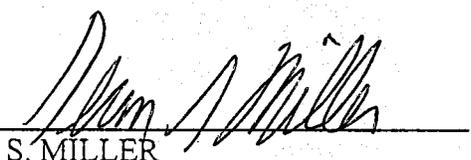

COMMISSIONER

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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
14 this Commission to be affixed at the Capitol, in the City of
15 Phoenix, this 30th day of October, 2007.

16 
DEAN S. MILLER
17 Interim Executive Director

18 DISSENT: _____

20 DISSENT: _____

21 EGJ:KDB:lhmkT

1 Service List for: Total Call International, Inc.
2 Docket No. T-04004A-01-0259

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4 Total Call International, Inc.
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