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BEFORE THE ARIZONA CORPORATION C

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

2007 NOV 14 P 3:40
AZ CORP COMMISSION
DOCUMENT CONTROL

ORIGINAL

STAFF of the Utilities Division,

Complainant,

vs.

DNR ENTERPRISES, L.L.C. dba DESERT WIND
COMMUNICATIONS

Respondent.

DOCKET NO. T-04217A-03-0810

COMPLAINT
(Motion to Rescind Decision
and cancel CC&N)

Staff of the Utilities Division ("Staff") of the Arizona Corporation Commission ("Commission"), pursuant to Arizona Revised Statutes (A.R.S.) § 40-246, hereby comes before the Commission to allege the following Complaint requesting a rescission of Commission Decision No. 66935 and a cancellation of Respondent's Certificate of Convenience and Necessity ("CC&N").

JURISDICTION

1. The Commission has jurisdiction to hear complaints against public service corporations pursuant to A.R.S. § 40-246. The Commission has jurisdiction to supervise and regulate public service corporations pursuant to Article XV of the Arizona Constitution and Title 40 of the Arizona Revised Statutes.

Arizona Corporation Commission

DOCKETED

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1 Original and eighteen (18) copies
2 of the foregoing were filed this
3 14th day of November, 2007 with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 West Washington Street
7 Phoenix, Arizona 85007

8 Copies of the foregoing were mailed
9 this 14th day of November, 2007 to:

10 Mr. Dan Holloway
11 Desert Wind Communications
12 3404 West Cheryl Drive, Suite A-175
13 Phoenix, Arizona 85051

14 Mr. Aaron Holloway
15 9066 Southwest 112th Court
16 Miami, Florida 33176

17 Mr. Matthew Schulman
18 Regnum Group, Inc.
19 8181 NW 36th Street, Suite 4
20 Miami, Florida 33166

21 *Monica G. Martinez*

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BEFORE THE ARIZONA CORPORATION COMMISSION

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

STAFF of the Utilities Division,

Complainant,

vs.

DNR ENTERPRISES, L.L.C. dba DESERT
WIND COMMUNICATIONS

Respondent.

DOCKET NO. T-04217A-03-0810
DECISION NO. _____
ORDER

Open Meeting
November 27 and 28, 2007
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Respondent DNR Enterprises, LLC dba Desert Wind Communications (“DNR” or “Company”) is a public service corporation as defined by Article XV of the Arizona Constitution and A.R.S. § 40-282.
2. On April 21, 2004, in Decision No. 66935, the Arizona Corporation Commission (“Commission”) granted DNR’s application for a Certificate of Convenience and Necessity (“CC&N”) to provide competitive resold interexchange services within Maricopa County, Arizona.
3. In the Decision, DNR was ordered to file conforming tariffs within 365 days of the effective date of the Decision or 30 days prior to providing service, whichever came first. The due date for the filing was April 21, 2005.

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ORDER

IT IS THEREFORE ORDERED that Decision No. 66935 is hereby rescinded and the Certificate of Convenience and Necessity granted to DNR Enterprises, LLC dba Desert Wind Communications is revoked.

IT IS FURTHER ORDERED that this Order shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I DEAN S. MILLER, Interim 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.

DEAN S. MILLER
Interim Executive Director

DISSENT: _____

DISSENT: _____

EGJ:KDB:lmh\

1 Service List for: DNR Enterprises, LLC dba Desert Wind Communications
2 Docket No. T-04217A-03-0810

3 Mr. Dan Holloway
4 Desert Wind Communications
5 3404 West Cheryl Drive, Suite A-175
6 Phoenix, Arizona 85051

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8 9066 Southwest 112th Court
9 Miami, Florida 33176

10 Mr. Matthew Schulman
11 Regnum Group, Inc.
12 8181 NW 36th Street, Suite 4
13 Miami, Florida 33166

14 Mr. Christopher C. Kempley
15 Chief Counsel, Legal Division
16 Arizona Corporation Commission
17 1200 West Washington
18 Phoenix, Arizona 85007

19 Mr. Ernest G. Johnson
20 Director, Utilities Division
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