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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

DOCKETED

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

DEC - 4 2007

DOCKETED BY *mm*

IN THE MATTER OF THE APPLICATION OF  
LIGHTSOURCE TELECOM I, LLC, FOR THE  
CANCELLATION OF THE CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
PROVIDE COMPETITIVE FACILITIES-BASED  
AND RESOLD LOCAL EXCHANGE,  
INTEREXCHANGE AND EXCHANGE ACCESS  
TELECOMMUNICATIONS SERVICES

DOCKET NO. T-03940A-01-0970

DECISION NO. 70044

ORDER

Open Meeting  
November 27 and 28, 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

ADMINISTRATIVE CLOSURE

1. LightSource Telecom I, LLC, ("Applicant" or "Company"), has a Certificate of Convenience and Necessity ("Certificate") to provide competitive facilities-based and resold local exchange, interexchange and exchange access telecommunication services in the State of Arizona pursuant to Decision No. 64178 (October 30, 2001).

2. On December 14, 2001, the Applicant filed an application to cancel its Certificate ("Application"), as it no longer intended to construct facilities and provide telecommunications services in Arizona.<sup>1</sup>

3. On January 10, 2002, the Commission's Utilities Division Staff ("Staff") issued its Staff Report recommending cancellation of the Certificate without a hearing.

4. On November 7, 2002, Docket No. T-03940A-01-0970 was erroneously

<sup>1</sup> Docket No. T-03940A-01-0970.

1 administratively closed. To date, there has been no order cancelling the Applicant's Certificate.

2 5. Accordingly, the Administrative Closure of Docket No. T-03940A-01-0970 should be  
3 reversed and an order cancelling the Applicant's CC&N should be considered.

4 **CANCELLATION**

5 6. In its Application, the Company stated that the reason for the requested cancellation  
6 was that it was no longer financially able to pursue a telecommunications market in Arizona. In the  
7 two months between the granting of the CC&N and the filing of the Application, the Company never  
8 constructed any facilities or acquired any customer base.

9 7. In its January 10, 2002, Staff Report, Staff found the Applicant had never served any  
10 customers in Arizona; there were no prepayments, deposits or advances to be refunded.

11 8. Because the Company had no Arizona customers and there were sufficient carriers  
12 offering similar services, Staff stated that it was in the public interest to grant the Application and that  
13 such action be done without a hearing.

14 **CONCLUSIONS OF LAW**

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

17 2. The Commission has jurisdiction over Applicant and the subject matter of the  
18 application.

19 3. The Administrative Closure of Docket No. T-03940A-01-0970 should be reversed in  
20 order to issue a Decision cancelling the Applicant's CC&N.

21 4. The cancellation of Applicant's Certificate is in the public interest.

22 5. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding certain  
23 Certificates without a hearing.

24 6. Staff's recommendation is reasonable and should be adopted.

25 **ORDER**

26 IT IS THEREFORE ORDERED that the Administrative Closure of this docket is reversed.

27 IT IS THEREFORE ORDERED that the application of LightSource Telecom I LLC, for the  
28 cancellation of the Certificate of Convenience and Necessity shall be, and is hereby, approved and the

1 Certificate of Convenience and Necessity is cancelled.

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

3 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

4  
5 *Laurel Stinson*  
6 CHAIRMAN

*William M. Miley*  
COMMISSIONER

7  
8 *Stephen W. Hotal Miller*  
9 COMMISSIONER

*R. M. [Signature]*  
COMMISSIONER

*Gary [Signature]*  
COMMISSIONER

10 IN WITNESS WHEREOF, I, DEAN S. MILLER, Interim  
11 Executive Director of the Arizona Corporation Commission,  
12 have hereunto set my hand and caused the official seal of the  
13 Commission to be affixed at the Capitol, in the City of Phoenix,  
14 this 4<sup>th</sup> day of Dec., 2007.

15 *Dean S. Miller*  
16 DEAN S. MILLER  
17 INTERIM EXECUTIVE DIRECTOR

18 DISSENT \_\_\_\_\_

19  
20 DISSENT \_\_\_\_\_

1 SERVICE LIST FOR: LIGHTSOURCE TELECOM I LLC

2 DOCKET NO.: T-03940A-01-0970

3 James Moskowitz  
4 Senior Counsel  
5 LIGHTSOURCE TELECOM I LLC  
6 29225 Chagrin Boulevard, Suite 100  
7 Cleveland, Ohio 44122

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

13 Ernest G. Johnson, Director  
14 Utilities Division  
15 ARIZONA CORPORATION COMMISSION  
16 1200 West Washington Street  
17 Phoenix, Arizona 85007

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