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

ORIGINAL



ARIZONA CORPORATION COMMISSION

DATE: JANUARY 23, 2008

DOCKET NO: T-04260A-07-0141

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Belinda Martin. The recommendation has been filed in the form of an Order on:

CHARTER FIBERLINK AZ-CCVII, 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:

FEBRUARY 1, 2008

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:

FEBRUARY 12, 2008 and FEBRUARY 13, 2008

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.

BRIAN C. McNEIL
EXECUTIVE DIRECTOR

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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 CHARTER FIBERLINKAZ-CCVII, LLC FOR
10 THE CANCELLATION OF THE CERTIFICATE
11 OF CONVENIENCE AND NECESSITY.

DOCKET NO. T-04260A-07-0141

DECISION NO. _____

ORDER

12 Open Meeting
13 February 12 and 13, 2008
14 Phoenix, Arizona

15 **BY THE COMMISSION:**

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

18 **FINDINGS OF FACT**

19 1. Charter Fiberlink AZ-CCVII, LLC ("Company") has a Certificate of Convenience and
20 Necessity ("Certificate") to provide resold long distance and facilities-based long distance, resold
21 local exchange and facilities-based local exchange, alternative operator services, and private line
22 telecommunications services in the State of Arizona pursuant to Decision No. 68493 (February 23,
23 2006) ("Decision").

24 2. Under the terms of the Decision, the Company was required to file with the
25 Commission conforming tariffs and proof of a performance bond within 365 days of the Decision or
26 30 days prior to the commencement of service, whichever came first.

27 3. On February 20, 2007, the Company filed an application for an extension of time to
28 file its conforming tariffs and proof of a performance bond.

3. On March 7, 2007, the Company filed with the Commission an application
("Application") for cancellation of its Certificate without a hearing. The Company indicated that it
never had customers in the State of Arizona.

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ORDER

IT IS THEREFORE ORDERED that the application of Charter Fiberlink AZ-CCVII, LLC for the cancellation of its Certificate of Convenience and Necessity to provide resold long distance and facilities-based long distance, resold local exchange and facilities-based local exchange, alternative operator services, and private line telecommunications services in the State of Arizona pursuant to Decision No. 68493 shall be, and is hereby, approved, and the Certificate of Convenience and Necessity is cancelled.

IT IS FURTHER ORDERED that Docket No. T-04260A-04-0383 is hereby closed.

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, DEAN S. MILLER, Interim Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this ____ day of _____, 2008.

DEAN S. MILLER
INTERIM EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

1 SERVICE LIST FOR: CHARTER FIBERLINK AZ-CCVII, LLC

2 DOCKET NO.: T-04260A-07-0141

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