



OPEN MEETING ITEM

ORIGINAL

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
- 7

2008 APR 16 A 11:19
AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

APR 16 2008

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9 IN THE MATTER OF THE COMMISSION ON ITS
10 OWN MOTION INVESTIGATING THE FAILURE
11 OF NUMEROUS UTILITIES TO FILE ANNUAL
12 REPORTS FOR CALENDAR YEAR 2006

DOCKET NO. C-00000A-08-0182

**COMPLAINT AND PETITION
FOR AN ORDER TO SHOW CAUSE**

13 Staff of the Utilities Division ("Staff") of the Arizona Corporation Commission
14 ("Commission") hereby brings this Complaint and Petition for Order to Show Cause against the
15 following respondents:

| DOCKET NO | COMPANY NAME |
|-----------|--|
| T-04097A | ACCXX COMMUNICATIONS, LLC |
| T-03600A | ALLCOM USA dba ALLCOM / ALLCOM INTERNATIONAL |
| W-02250A | ARIZONA WINDSONG REALTY, INC. |
| T-03299A | BUEHNER-FRY, INC. dba DIRECTDIAL USA |
| T-02764A | BUEHNER-FRY, INC. dba RESORT OPERATOR SERVICES |
| W-02391A | CERBAT WATER COMPANY |
| W-01558A | CROWN KING WATER COMPANY, INC. |
| T-03822A | FREEDOMSTARR COMMUNICATIONS, INC. |
| W-02271A | GREEN ACRES WATER COMPANY |
| W-02077A | HOPEVILLE WATER COMPANY, INC. |
| T-04095A | INFONET TELECOMMUNICATIONS CORPORATION |
| T-04140A | JLS MARKETING dba JLS |
| W-01557A | LAKE VERDE WATER COMPANY |
| T-03303A | MARTIN N. MOHAMED dba DESERT TELECOM |
| W-02504A | MEADOW WATER COMPANY |
| W-01849A | MOBILE WATER COMPANY |
| W-02164A | MORRISTOWN WATER COMPANY |
| T-04054A | NATIONAL TELEPHONE COMPANY, LLC |
| W-01642A | PETER O'CROTTY dba DESPOBLADO WATER COMPANY |

| | | |
|----|----------|--|
| 1 | T-03583A | PREFERRED CARRIER SERVICES, INC. dba PHONES FOR ALL / TELEFONOS PARA TODOS |
| 2 | T-04255A | R. SCOTT DELONG dba DELONG INDUSTRIES GROUP, INC. |
| 3 | T-04193A | R2C COMMUNICATIONS, INC. |
| 4 | T-04064A | RANDY HEINSOHN |
| 5 | W-01407A | STRAWBERRY WATER COMPANY |
| 6 | T-02972A | SYUFY ENTERPRISES/CENTURY THEATRES c/o CINEMARK THEATRES, INC. |
| 7 | W-01344A | TACNA WATER MANAGEMENT COMPANY |
| 8 | T-04027A | TELEFYNE INCORPORATED |
| 9 | T-04172A | TELLOGIC dba QUALITY TELEPHONE |
| 10 | T-04068A | THOMAS TWISS dba AMERICAN COMMUNICATIONS OF OHIO, INC. |
| 11 | T-03402A | TRANSAMERICAN TELEPHONE, INC. |
| 12 | W-02168A | TRUXTON CANYON WATER COMPANY, INC. |
| 13 | T-04058A | UNITED SYSTEMS ACCESS TELECOM, INC. |
| 14 | W-02372A | VERDE LAKES WATER CORPORATION |
| 15 | T-20425A | V-GLOBAL COMMUNICATIONS, LLC |
| 16 | W-01084A | WILLIAM P. FARR dba SALOME WATER COMPANY |

Staff, for its Complaint, alleges as follows:

I

The Commission is an agency of the State of Arizona, existing by virtue of Article 15 of the Arizona Constitution.

II

Respondents are public service corporations as defined by Article 15, Section 2 of the Arizona Constitution, and were issued Certificates of Convenience and Necessity in accordance with Arizona Revised Statutes Section 40-281.

III

As public service corporations, respondents are subject to the jurisdiction of the Commission with regard to the matters herein alleged.

IV

This Complaint is initiated and authorized pursuant to Arizona Revised Statutes, Sections 40-202, 40-204, 40-425, 40-426, and Arizona Administrative Code R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.

V

1 Investigation by the Staff reveals that Respondents have violated Arizona Revised Statutes
2 and Commission Rules. Staff alleges the following in support of this claim:
3

- 4 A. Pursuant to Arizona Revised Statutes Section 40-204 and Arizona
5 Administrative Code R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-
6 907.A., R14-2-1011.A., and R14-2-1115.F., all public service corporations in
7 Arizona are required to file an annual report on or before April 15 of each
8 year.
9 B. Despite repeated attempts by the Staff to persuade Respondents to file such
10 reports, Respondents have failed to do so for calendar year 2006 and are thus
11 in violation of Arizona Revised Statutes Section 40-204 and Arizona
12 Administrative Code, R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-
13 907.A., R14-2-1011.A., and R14-2-1115.F.
14 C. Pursuant to Arizona Revised Statutes Section 40-204, Respondents are in
15 contempt of the Commission for their failure to comply with the
16 aforementioned rules and requirements of the Commission.

VI

17 The violations of Respondents to the aforementioned rules and requirements, as alleged
18 herein, constitutes grounds to assess a civil penalty against Respondents pursuant to Arizona
19 Revised Statutes Section 40-424 and 40-425, in an amount not less than \$100 nor more than
20 \$5,000 for each violation, and/or revoke respondents certificate of convenience and necessity.

21 RESPECTFULLY SUBMITTED this 16th day of April, 2008.

22 
23 Nancy Scott
24 Attorney, Legal Division
25 Arizona Corporation Commission
26 1200 West Washington Street
27 Phoenix, Arizona 85007
28 (602) 542-6020

29 The original and thirteen (13) copies
30 of the foregoing were filed this
31 16th day of April, 2008 with:

32 Docket Control
33 Arizona Corporation Commission
34 1200 West Washington Street
35 Phoenix, Arizona 85007

1 Copy of the foregoing mailed this
2 16th day of April, 2008 to:

3 ACCXX Communications, LLC
4 4035 Tampa Rd., Ste 6000
Oldsmar, FL 34677

Infonet Telecommunications Corporation
2160 East Grand Avenue
El Segundo, CA 90245

5 AllCom USA
6 AllCom / AllCom International
7 2151 E. Convention Center Way
Suite 207-A
8 Ontario, CA 91764-4483

JLS Marketing
JLS
2024 N. 124th Avenue
Avondale, AZ 85323

9 Arizona Windsong Realty, Inc.
10 PO Box 261
11 Sanders, AZ 86512

Lake Verde Water Company
PO Box 2777
Camp Verde, AZ 86322

12 Buehner-Fry, Inc.
13 Resort Operator Services
14 40 NW Greenwood Ave
15 Bend, OR 97701

Martin N. Mohamed
Desert Telecom
PO box 821
Brawley, CA 92227

16 Buehner-Fry, Inc.
17 Directdial USA
18 40 NW Greenwood Ave
19 Bend, OR 97701

Mobile Water Company
Attn: Mr. Garth Wieger
6720 N Scottsdale Rd, Ste 335
Scottsdale, AZ 85253

20 Cerbat Water Company
21 2409 Ricca Dr
22 Kingman, AZ 86401

Morristown Water Company
PO Box 156
Morristown, AZ 85342

23 Crown King Water Company, Inc.
24 6428 W. Garden Dr.
25 Glendale, AZ 85304

National Telephone Company, LLC
3116 Garden Brook Drive
Farmers Branch, TX 75234

26 Freedomstarr Communications, Inc.
27 8383 Wilshire Blvd, Ste 333
28 Beverly Hills, CA 90211-2415

Peter O'Crotty
Despoblado Water Company
8815 N Verch Way
Tucson, AZ 85737

Green Acres Water Company
PO Box 4995
Yuma, AZ 85366

Preferred Carrier Services, Inc.
Phones For All / Telefonos Para Todos
14681 Midway Rd., Ste 105
Addison, TX 75001-3147

Hopeville Water Company, Inc.
1415 S. Palo Verde Rd., Rt. 2
Buckeye, AZ 85326

1 R. Scott DeLong
2 De Long Industries Group, Inc.
3 1031 Calle Recodo., Ste A
4 San Clemente, CA 92673
5
6 R2C Communications, Inc.
7 9532 Mission Rd., #25
8 Overland, KS 66206
9 Randy Heinsohn
10 2729 Havasupai Blvd
11 Lake Havasu City, AZ 86404
12
13 Strawberry Water Company
14 203A W. Airport Rd
15 Payson, AZ 85541
16
17 Syufy Enterprises/Century Theatres
18 c/o Cinemark Theatres, Inc.
19 3900 Dallas Pkwy., Ste. 500
20 Plano, TX 75093
21
22 Tacna Water Company
23 2993 S. Arizona Ave
24 Yuma, AZ 85365
25
26 Telefyne Incorporated
27 PO Box 2251
28 Milton, FL 32571-0451
29
30 TelLogic
31 Quality Telephone
32 PO Box 7310
33 Dallas, TX 75209-0310
34
35 Thomas Twiss
36 American Communications of Ohio, Inc.
37 PO Box 351
38 New Albany, OH 43504
39
40 TransAmerican Telephone, Inc.
41 209 E. University
42 Denton, TX 76201
43
44 Truxton Canyon Water Company, Inc.
45 2409 Ricca Dr
46 Kingman, AZ 86401
47
48

United Systems Access Telecom, Inc.
5 Bradgon Lane, Ste. 200
Kennebunk, ME 04043

Verde Lakes Water Corporation
2867 S. Verde Lakes Dr #B
Camp Verde, AZ 86322

David F. Wright, CPA, PC
2652 W Guadalupe Rd, Ste 102
Mesa, AZ 85202

V-Global Communications, LLC
800 Southwood Blvd., Ste 212
Incline Village, NV 89451

Jonathan S. Marashlian
The CommLaw Group
1483 Chain Bridge Road
Suite 301
McLean, VA 22101

William P. Farr
Salome Water Company
PO Box 550
Salome, AZ 85348

Picacho Water Improvement
PO Box 44
Picacho, AZ 85421

Q Mountain Water, Inc.
12486 S. Foothills Blvd.
Yuma, AZ 85367



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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

IN THE MATTER OF THE COMMISSION)
ON ITS OWN MOTION INVESTIGATING)
THE FAILURE OF NUMEROUS)
UTILITIES TO FILE ANNUAL REPORTS)
FOR CALENDAR YEAR 2006)

DOCKET NO. C-00000A-08-0182
DECISION NO. _____

ORDER TO SHOW CAUSE

Open Meeting
May 6 and 7, 2008
Phoenix, Arizona

BY THE COMMISSION:

The Arizona Corporation Commission ("Commission"), hereby issues this Order to Show Cause against the following respondents:

| DOCKET NO | COMPANY NAME |
|-----------|--|
| T-04097A | ACCXX COMMUNICATIONS, LLC |
| T-03600A | ALLCOM USA dba ALLCOM / ALLCOM INTERNATIONAL |
| W-02250A | ARIZONA WINDSONG REALTY, INC. |
| T-03299A | BUEHNER-FRY, INC. dba DIRECTDIAL USA |
| T-02764A | BUEHNER-FRY, INC. dba RESORT OPERATOR SERVICES |
| W-02391A | CERBAT WATER COMPANY |
| W-01558A | CROWN KING WATER COMPANY, INC. |
| T-03822A | FREEDOMSTARR COMMUNICATIONS, INC. |
| W-02271A | GREEN ACRES WATER COMPANY |
| W-02077A | HOPEVILLE WATER COMPANY, INC. |
| T-04095A | INFONET TELECOMMUNICATIONS CORPORATION |
| T-04140A | JLS MARKETING dba JLS |
| W-01557A | LAKE VERDE WATER COMPANY |
| T-03303A | MARTIN N. MOHAMED dba DESERT TELECOM |
| W-02504A | MEADOW WATER COMPANY |
| W-01849A | MOBILE WATER COMPANY |

| | | |
|----|----------|--|
| 1 | W-02164A | MORRISTOWN WATER COMPANY |
| | T-04054A | NATIONAL TELEPHONE COMPANY, LLC |
| 2 | W-01642A | PETER O'CROTTY dba DESPOBLADO WATER COMPANY |
| 3 | T-03583A | PREFERRED CARRIER SERVICES, INC. dba PHONES FOR ALL / TELEFONOS PARA TODOS |
| 4 | T-04255A | R. SCOTT DELONG dba DELONG INDUSTRIES GROUP, INC. |
| | T-04193A | R2C COMMUNICATIONS, INC. |
| 5 | T-04064A | RANDY HEINSOHN |
| | W-01407A | STRAWBERRY WATER COMPANY |
| 6 | T-02972A | SYUFY ENTERPRISES/CENTURY THEATRES c/o CINEMARK THEATRES, INC. |
| 7 | W-01344A | TACNA WATER MANAGEMENT COMPANY |
| 8 | T-04027A | TELEFYNE INCORPORATED |
| | T-04172A | TELLOGIC dba QUALITY TELEPHONE |
| 9 | T-04068A | THOMAS TWISS dba AMERICAN COMMUNICATIONS OF OHIO, INC. |
| 10 | T-03402A | TRANSAMERICAN TELEPHONE, INC. |
| 11 | W-02168A | TRUXTON CANYON WATER COMPANY, INC. |
| | T-04058A | UNITED SYSTEMS ACCESS TELECOM, INC. |
| 12 | W-02372A | VERDE LAKES WATER CORPORATION |
| 13 | T-20425A | V-GLOBAL COMMUNICATIONS, LLC |
| 14 | W-01084A | WILLIAM P. FARR dba SALOME WATER COMPANY |

FINDINGS OF FACT

The Commission, for its Complaint, and order to show cause alleges as follows:

- 15 1. The Commission is an agency of the State of Arizona, existing by virtue of Article 15
16 of the Arizona Constitution.
- 17 2. Respondents are public service corporations as defined by Article 15, Section 2 of
18 the Arizona Constitution, and were issued Certificates of Convenience and Necessity in
19 accordance with Arizona Revised Statutes Section 40-281.
- 20 3. As public service corporations, respondents are subject to the jurisdiction of the
21 Commission with regard to the matters herein alleged.
- 22 4. This Complaint is initiated and authorized pursuant to Arizona Revised Statutes,
23 Sections 40-202, 40-204, 40-425, 40-426, and Arizona Administrative Code R14-2-411.D.4, R14-
24 2-510.G.4, R14-2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.
- 25 5. Investigation by the Commission's Staff ("Staff") reveals and the Commission
26 alleges that Respondents have violated Arizona Revised Statutes and Commission Rules. The
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Commission alleges the following in support of this claim:

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- A. Pursuant to Arizona Revised Statutes Section 40-204 and Arizona Administrative Code R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F., all public service corporations in Arizona are required to file an annual report on or before April 15 of each year.
- B. Despite repeated attempts by the Staff to persuade Respondents to file such reports, Respondents have failed to do so and are thus in violation of Arizona Revised Statutes Section 40-204 and Arizona Administrative Code, R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.
- C. Pursuant to Arizona Revised Statutes Section 40-204, Respondents are in contempt of the Commission for their failure to comply with the aforementioned rules and requirements of the Commission.

6. The violations of Respondents to the aforementioned rules and requirements, as alleged herein, constitutes grounds to assess a civil penalty against Respondents pursuant to Arizona Revised Statutes Section 40-424 and 40-425, in an amount not less than \$100 nor more than \$5,000 for each violation, and/or revoke respondents certificate of convenience and necessity.

CONCLUSIONS OF LAW

- 1. The Respondents are public service corporations within the meaning of Article XV of the Arizona Constitution and is subject to the jurisdiction of the Commission.
- 2. The Commission has jurisdiction over the subject matter of Staff's Complaint and Petition for Order to Show Cause.
- 3. Notice of this proceeding has been given in accordance with law.

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ORDER

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THEREFORE IT IS ORDERED that Respondents appear before the Arizona Corporation Commission at a time and place designated by the Commission's Hearing Division and show cause why the Commission should not find Respondents in violation and contempt of Arizona Laws and Commission rules, and show cause why the Commission should not assess against Respondents penalties as provided in Arizona Revised Statutes Sections 40-424 and 40-425, and/or cancel the respondents certificate of convenience and necessity.

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

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, 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 _____, 2008.

BRIAN C. McNEIL
Executive Director

DISSENT: _____

DISSENT: _____

EGJ:KDB:lhml

1 SERVICE LIST FOR: Various Regulated Utility Companies
 2 DOCKET NO. C-00000A-08-0182

3 ACCXX Communications, LLC
 4 4035 Tampa Rd., Ste 6000
 5 Oldsmar, FL 34677

Infonet Telecommunications Corporation
 2160 East Grand Avenue
 El Segundo, CA 90245

6 AllCom USA
 7 AllCom / AllCom International
 8 2151 E. Convention Center Way
 9 Suite 207-A
 10 Ontario, CA 91764-4483

JLS Marketing
 JLS
 2024 N. 124th Avenue
 Avondale, AZ 85323

11 Arizona Windsong Realty, Inc.
 12 PO Box 261
 13 Sanders, AZ 86512

Lake Verde Water Company
 PO Box 2777
 Camp Verde, AZ 86322

14 Buehner-Fry, Inc.
 15 Resort Operator Services
 16 40 NW Greenwood Ave
 17 Bend, OR 97701

Martin N. Mohamed
 Desert Telecom
 PO box 821
 Brawley, CA 92227

18 Buehner-Fry, Inc.
 19 Directdial USA
 20 40 NW Greenwood Ave
 21 Bend, OR 97701

Mobile Water Company
 Attn: Mr. Garth Wieger
 6720 N Scottsdale Rd, Ste 335
 Scottsdale, AZ 85253

22 Cerbat Water Company
 23 2409 Ricca Dr
 24 Kingman, AZ 86401

Morristown Water Company
 PO Box 156
 Morristown, AZ 85342

25 Crown King Water Company, Inc.
 26 6428 W. Garden Dr.
 27 Glendale, AZ 85304

National Telephone Company, LLC
 3116 Garden Brook Drive
 Farmers Branch, TX 75234

28 Freedomstarr Communications, Inc.
 8383 Wilshire Blvd, Ste 333
 Beverly Hills, CA 90211-2415

Peter O'Crotty
 Despoblado Water Company
 8815 N Verch Way
 Tucson, AZ 85737

Green Acres Water Company
 PO Box 4995
 Yuma, AZ 85366

Preferred Carrier Services, Inc.
 Phones For All / Telefonos Para Todos
 14681 Midway Rd., Ste 105
 Addison, TX 75001-3147

Hopeville Water Company, Inc.
 1415 S. Palo Verde Rd., Rt. 2
 Buckeye, AZ 85326

R. Scott DeLong
 De Long Industries Group, Inc.
 1031 Calle Recodo., Ste A
 San Clemente, CA 92673

1 R2C Communications, Inc.
9532 Mission Rd., #25
2 Overland, KS 66206
3
4 Randy Heinsohn
2729 Havasupai Blvd
Lake Havasu City, AZ 86404
5
6 Strawberry Water Company
203A W. Airport Rd
Payson, AZ 85541
7
8 Syufy Enterprises/Century Theatres
c/o Cinemark Theatres, Inc.
9 3900 Dallas Pkwy., Ste. 500
Plano, TX 75093
10
11 Tacna Water Company
2993 S. Arizona Ave
12 Yuma, AZ 85365
13 Telefyne Incorporated
PO Box 2251
14 Milton, FL 32571-0451
15
16 TelLogic
Quality Telephone
PO Box 7310
17 Dallas, TX 75209-0310
18
19 Thomas Twiss
American Communications of Ohio, Inc.
PO Box 351
20 New Albany, OH 43504
21
22 TransAmerican Telephone, Inc.
209 E. University
Denton, TX 76201
23
24 Truxton Canyon Water Company, Inc.
2409 Ricca Dr
Kingman, AZ 86401
25
26 United Systems Access Telecom, Inc.
5 Bradgon Lane, Ste. 200
27 Kennebunk, ME 04043
28

Verde Lakes Water Corporation
2867 S. Verde Lakes Dr #B
Camp Verde, AZ 86322

David F. Wright, CPA, PC
2652 W Guadalupe Rd, Ste 102
Mesa, AZ 85202

V-Global Communications, LLC
800 Southwood Blvd., Ste 212
Incline Village, NV 89451

Jonathan S. Marashlian
The CommLaw Group
1483 Chain Bridge Road
Suite 301
McLean, VA 22101

William P. Farr
Salome Water Company
PO Box 550
Salome, AZ 85348

Picacho Water Improvement
PO Box 44
Picacho, AZ 85421

Q Mountain Water, Inc.
12486 S. Foothills Blvd.
Yuma, AZ 85367