

ORIGINAL

OPEN MEETING ITEM



0000093718

COMMISSIONERS
KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP



MICHAEL P. KEARNS
Interim Executive Director

ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission
DOCKETED

FEB 13 2009

DATE: FEBRUARY 13, 2009

DOCKET NO: T-02884A-08-0019

TO ALL PARTIES:

DOCKETED BY

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

UNIVERSAL PLUMBING SUPPLY CO, INC.,
D/B/A L&C PHONE SERVICES-UNIVERSAL PHONE SERVICES
(SALE OF ASSETS AND/OR CANCELLATION OF 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 thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

FEBRUARY 23, 2009

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 Open Meeting to be held on:

MARCH 3, 2009 AND MARCH 4, 2009

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.

DOCKET CONTROL
AZ CORP COMMISSION

2009 FEB 13 A 10:09

RECEIVED

MICHAEL P. KEARNS
INTERIM EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347

www.azcc.gov

This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SBernal@azcc.gov

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 KRISTIN K. MAYES, Chairman
4 GARY PIERCE
5 PAUL NEWMAN
6 SANDRA D. KENNEDY
7 BOB STUMP

8 IN THE MATTER OF THE APPLICATION
9 UNIVERSAL PLUMBING SUPPLY CO, INC.,
10 DBA L&C PHONE SERVICES-UNIVERSAL
11 PHONE SERVICES FOR THE APPROVAL OF
12 THE SALE OF ASSETS AND/OR
13 CANCELLATION OF THE CERTIFICATE OF
14 CONVENIENCE AND NECESSITY TO PROVIDE
15 CUSTOMER-OWNED PAY TELEPHONE
16 SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-02884A-08-0019

DECISION NO. _____

ORDER

12 Open Meeting
13 March 3 and 4, 2009
14 Phoenix, Arizona

14 **BY THE COMMISSION:**

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

17 FINDINGS OF FACT

18 1. Universal Plumbing Supply Co, Inc., d/b/a L&C Phone Services-Universal Phone
19 Services ("Applicant") has a Certificate of Convenience and Necessity ("Certificate") to provide
20 customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No.
21 59162 (July 20, 1995).

22 2. On January 9, 2008, the Applicant filed with the Commission an application for
23 cancellation of its Certificate ("Application"). On January 5, 2009, the Applicant re-submitted its
24 Application, updating certain information.

25 3. On February 4, 2009, the Commission's Utilities Division Staff ("Staff") filed a Staff
26 Report, recommending approval of the Application to cancel the Applicant's Certificate without a
27 hearing.

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

IT IS THEREFORE ORDERED that the application of Universal Plumbing Supply Co, Inc., d/b/a L&C Phone Services-Universal Phone Services for the cancellation of the Certificate of Convenience and Necessity to provide customer-owned pay telephone service shall be, and is hereby, approved.

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, MICHAEL P. KEARNS, 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 _____, 2009.

MICHAEL P. KEARNS
INTERIM EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

1 SERVICE LIST FOR: UNIVERSAL PLUMBING SUPPLY CO, INC., D/B/A L&C
2 PHONE SERVICES-UNIVERSAL PHONE SERVICES

3 DOCKET NO.: T-02884A-08-0019

4 Paul Lewinthal
5 UNIVERSAL PLUMBING SUPPLY CO., INC.
6 P. O. Box 32145
7 Flagstaff, Arizona 85064

8 Janice Alward, 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

18
19
20
21
22
23
24
25
26
27
28