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MEMORANDUM
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TO: Docket Control
FROM: Ernest G. Johnson
Director
Utilities Division

AZ CORP COMMISSION
DOCKET CONTROL
EGJ

DATE: March 16, 2009

RE: THE APPLICATION OF PAUL ZEPEDA, JR. AND ROBERT A. AYALA FOR AUTHORITY TO CANCEL ITS CERTIFICATE OF CONVENIENCE AND NECESSITY ("CC&N") FOR CUSTOMER OWNED PAY TELEPHONE ("COPT") PROVIDERS (DOCKET NO. T-02931A-09-0052)

On February 9, 2009, Paul Zepeda, Jr. and Robert A. Ayala ("Zepeda" or "Applicant") filed an application with the Arizona Corporation Commission ("Commission") to cancel its Certificate of Convenience and Necessity ("CC&N") to provide customer owned pay telephone ("COPT") service. The Commission granted Paul Zepeda, Jr. and Robert A. Ayala a CC&N to provide COPT service in Decision No. 59296, dated September 22, 1995.

Staff contacted the Applicant, Paul Zepeda Jr., on March 4, 2009 and verified that he is the person authorized to make the application. The Applicant stated that the company no longer provides COPT service in the state of Arizona. According to the application, the Applicant has not waived the right to a hearing and has not waived the right to receive notices of a hearing in order to cancel the CC&N. However, Mr. Zepeda also confirmed via telephone on March 4, 2009 that the company does not wish to participate in a hearing.

The Compliance Section of the Utilities Division indicates that the Applicant does not have any outstanding compliance issues that need to be addressed with the Commission. The Applicant has not been entered into the Compliance Database.

The Consumer Services section of the Utilities Division indicates that no complaints, inquiries or opinions have been filed against the company.

Staff recommends that the application to cancel the CC&N be approved. Upon cancellation of its CC&N, the Applicant will not be authorized to provide COPT telecommunications services in the state of Arizona. Therefore the Applicant will not be subject to any of the requirements of Decision No. 59296.

EGJ:JCM:kdh

Originator: Juan C. Manrique

Arizona Corporation Commission
DOCKETED

MAR 16 2009

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Service List for: Paul Zepeda, Jr. and Robert A. Ayala
Docket No. T-02931A-09-0052

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