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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission
DOCKETED

MAY - 5 2009

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IN THE MATTER OF THE APPLICATION OF AMERICAN COMMUNICATIONS OF OHIO, INC. FOR APPROVAL TO CANCEL ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR CUSTOMER OWNED PAY TELEPHONE SERVICE.

DOCKET NO. T-04068A-09-0025

DECISION NO. 70969

ORDER

Open Meeting
April 28 and 29, 2009
Phoenix, Arizona

BY THE COMMISSION:

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. In Commission Decision No. 64983 (June 26, 2002), the Arizona Corporation Commission ("Commission") granted American Communications of Ohio, Inc., ("Applicant" or "American") a Certificate of Convenience and Necessity ("CC&N") to provide customer owned pay telephone ("COPT") services in Arizona.

2. On January 26, 2009, American filed an application with the Commission to cancel its CC&N to provide COPT service.

3. On March 16, 2009, the Utilities Division of the Commission ("Staff") filed a Memorandum in response to American's application to cancel its CC&N. According to Staff's Memorandum, Staff contacted American, via telephone, and spoke with a Mr. Thomas Twiss, who represented that he was authorized to file the application to cancel the CC&N. Mr. Twiss stated that

1 American no longer provides COPT services in the state of Arizona. Mr. Twiss also confirmed that
2 American does not wish to participate in a hearing in this matter.

3 4. The Commission's Compliance Section indicates that American has no outstanding
4 compliance issues.

5 5. Staff recommends approval of American's application to cancel its CC&N to provide
6 COPT services in Arizona.

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

8 **CONCLUSIONS OF LAW**

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

11 2. The Commission has jurisdiction over American and of the subject matter of the
12 application.

13 3. The cancellation of American's CC&N is in the public interest.

14 **ORDER**

15 IT IS THEREFORE ORDERED that the application of American Communications of Ohio,
16 Inc., for cancellation of its Certificate of Convenience and Necessity to provide customer owned pay
17 telephone services in Arizona is hereby granted.

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1 IT IS FURTHER ORDERED that the tariffs of American Communications of Ohio, Inc., are
2 hereby cancelled.

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

4 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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6
7  CHAIRMAN  COMMISSIONER
8
9  COMMISSIONER  COMMISSIONER  COMMISSIONER
10

11 IN WITNESS WHEREOF, I, MICHAEL P. KEARNS, Interim
12 Executive Director of the Arizona Corporation Commission,
13 have hereunto set my hand and caused the official seal of the
14 Commission to be affixed at the Capitol, in the City of Phoenix,
15 this 5TH day of APR, 2009.

16 
MICHAEL P. KEARNS
17 INTERIM EXECUTIVE DIRECTOR

18 DISSENT _____

19 DISSENT _____

20 YBK:db

1 SERVICE LIST FOR: THOMAS TWISS DBA AMERICAN
2 COMMUNICATIONS OF OHIO, INC.
3 DOCKET NO.: T-04068A-09-0025
4
5 Mr. Thomas Twiss
6 AMERICAN COMMUNICATIONS OF OHIO, INC.
7 P.O. Box 351
8 New Albany, Ohio 43054
9
10 Janice Alward, Chief Counsel
11 Legal Division
12 ARIZONA CORPORATION COMMISSION
13 1200 West Washington Street
14 Phoenix, Arizona 85007
15
16 Ernest G. Johnson, Director
17 Utilities Division
18 ARIZONA CORPORATION COMMISSION
19 1200 West Washington Street
20 Phoenix, Arizona 85007
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