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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

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IN THE MATTER OF THE APPLICATION OF
COMCAST BUSINESS COMMUNICATIONS,
LLC FOR THE CANCELLATION OF ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. T-03560A-09-0225

DECISION NO. 71268

ORDER

Open Meeting
August 25 and 26, 2009
Phoenix, Arizona

BY THE COMMISSION:

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

FINDINGS OF FACT

1. On October 29, 1998, the Arizona Corporation Commission ("Commission") issued Decision No. 61214, which granted Comcast Business Communications, LLC ("Comcast" or "Company") a Certificate of Convenience and Necessity ("CC&N") to provide resold interexchange telecommunications services in Arizona.

2. On May 8, 2009, Comcast filed with the Commission a Notice of Discontinuance of Certain Telecommunications Services and an application to cancel its CC&N to provide resold interexchange telecommunications services in Arizona. The application states Comcast plans to discontinue providing resold interexchange services as of July 1, 2009, and that Comcast has two customers and those customers were provided notice on April 23, 2009 of Comcast's intent to discontinue service pursuant to Arizona Administrative Code ("A.A.C.") R-14-2-1107. Comcast's application also states one of the two Comcast customers has already requested service from a new provider and that because the services Comcast provided in Arizona are competitive, they will be

1 readily available to customers.

2 3. On July 8, 2009, the Commission's Utilities Division Staff ("Staff") filed a Staff
3 Report in this matter recommending approval of Comcast's application to cancel its CC&N.
4 According to the Staff Report, in response to Staff's data request, Comcast requested waiver of
5 A.A.C R-14-2-1107 because Comcast believes it has been proactively assisting customers with the
6 transition to find new service providers, Comcast has provided direct notice to its two customers, and
7 Comcast services are competitive and alternative providers will be readily available to Comcast's
8 customers.

9 4. The Staff Report also states that Comcast did not collect advances, deposits, and/or
10 prepayments from customers in Arizona.

11 5. According to the Commission's Consumer Services Section, zero complaints,
12 inquiries, or opinions were filed against Comcast for the time period January 1, 2005 through
13 December 31, 2007. Further, Consumer Services reported that no complaints, inquiries, or opinions
14 were filed in 2008 against Comcast and one complaint, one inquiry and zero opinions were filed in
15 2009. According to the Staff Report, the 2009 complaint involved quality of service and has been
16 resolved.

17 6. The Commission's Compliance Section reports there are no current compliance
18 delinquencies for Comcast.

19 7. Staff recommends granting Comcast's request to waive the published notice
20 requirements of A.A.C. R-14-2-1107 (A)(2), based on Comcast's direct notice to its two customers.
21 Staff also recommends cancellation of Comcast's CC&N to provide resold interexchange
22 telecommunications services.

23 8. Staff's recommendations are reasonable.

24 **CONCLUSIONS OF LAW**

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

27 2. The Commission has jurisdiction over Comcast and the subject matter of the
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1 application to cancel Comcast's CC&N.

2 3. The cancellation of the Comcast's CC&N is in the public interest.

3 4. Staff's recommendations are reasonable and should be adopted.

4 **ORDER**

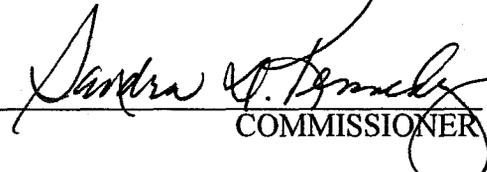
5 IT IS THEREFORE ORDERED that the application of Comcast Business Communications,
6 LLC, for the cancellation of its Certificate of Convenience and Necessity to provide resold
7 interexchange telecommunications services in Arizona shall be, and is hereby, approved, and the
8 Certificate of Convenience and Necessity is cancelled.

9 IT IS FURTHER ORDERED that Comcast Business Communications, LLC, Tariff No. 2 on
10 file with the Commission is hereby cancelled.

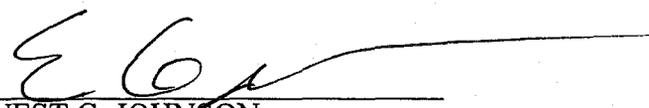
11 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

12 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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14  
15 CHAIRMAN COMMISSIONER

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17 COMMISSIONER COMMISSIONER COMMISSIONER

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19 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
20 Executive Director of the Arizona Corporation Commission,
21 have hereunto set my hand and caused the official seal of the
22 Commission to be affixed at the Capitol, in the City of Phoenix,
23 this 2nd day of Sept., 2009.

24 
25 ERNEST G. JOHNSON
26 EXECUTIVE DIRECTOR

27 DISSENT _____

28 DISSENT _____

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SERVICE LIST FOR: COMCAST BUSINESS COMMUNICATIONS, LLC

DOCKET NO.: T-03560A-09-0225

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