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ORIGINAL

MEMORANDUM

TO: Docket Control

FROM: Ernest G. Johnson
for Director
Utilities Division

DATE: July 8, 2009

RE: IN THE MATTER OF THE APPLICATION OF COMCAST BUSINESS COMMUNICATIONS, LLC FOR APPROVAL TO CANCEL ITS CERTIFICATE OF CONVENIENCE AND NECESSITY (DOCKET NO. T-03560A-09-0225)

Attached is the Staff Report for the above referenced application. The applicant is applying for approval to cancel its Certificate of Convenience and Necessity ("CC&N") to provide the following services:

- Competitive Resold Interexchange Services

Staff recommends cancellation of the CC&N.

EGJ:LM:lhm/KOT

Originator: Lori Morrison

Arizona Corporation Commission

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JUL - 8 2009

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SERVICE LIST FOR: COMCAST COMMUNICATIONS, INC.
DOCKET NO.: T-03560A-09-0225

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STAFF REPORT
UTILITIES DIVISION
ARIZONA CORPORATION COMMISSION

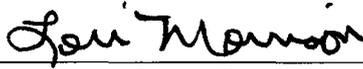
COMCAST BUSINESS COMMUNICATIONS, LLC
DOCKET NO. T-03560A-09-0225

IN THE MATTER OF THE APPLICATION OF COMCAST BUSINESS
COMMUNICATIONS, LLC, FOR APPROVAL TO CANCEL ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY

JULY 6, 2009

STAFF ACKNOWLEDGEMENT

The Staff Report for the application of Comcast Business Communications, LLC (Docket No. T-03560A-09-0225) for approval to cancel its Certificate of Convenience and Necessity was the responsibility of the staff member listed below. Lori Morrison was responsible for the review and analysis of the application.

A handwritten signature in black ink that reads "Lori Morrison". The signature is written in a cursive style and is positioned above a horizontal line.

Lori Morrison
Public Utility Analyst I

TABLE OF CONTENTS

	<u>Page</u>
Introduction.....	1
Background.....	1
Staff's Analysis.....	1
Recommendation	1

Introduction

On May 8, 2009, Comcast Business Communications, LLC ("CBC" or "the Company") submitted a Notice of Discontinuance of Certain Telecommunications Services and an Application to cancel its Certificate of Convenience and Necessity ("CC&N") to provide resold interexchange telecommunications services within the State of Arizona. CBC also requested cancellation and withdrawal of its Arizona Telecommunications Tariff No. 2.

Background

On October 29, 1998, in Decision No. 61214, the Commission granted CBC a CC&N to provide resold interexchange telecommunications services within the State of Arizona.

Staff's Analysis

In its May 8, 2009 Letter of Notification, CBC stated that it would discontinue providing service on July 1, 2009. CBC's Letter also states it has two customers left on its network and they were provided direct notice of discontinuance of service on April 23, 2009. On June 4, 2009, in response to Staff Data Request LLM 1.2(A), CBC provided an update to its customer transition status that indicates that one of the two customers had already placed an order with a new service provider. In response to Staff Data Request LLM 1.2(B), CBC requested a waiver of the published notice requirements in Arizona Administrative Code ("A.A.C.") R14-2-1107(A)(2). To support its waiver request, CBC states: (a) that it only has two (2) customers in Arizona; (b) both customers were provided direct notice and one (1) has already placed an order for service with a new provider; (c) the Company has been proactively assisting its customers with their transition to new service providers; and (d) the services that are being discontinued are competitive services readily available to Arizona customers from other service providers. Lastly, CBC affirmed in response to Staff Data Request LLM 1.7 that it did not collect advances, deposits, and/or prepayments from customers in Arizona.

The Consumer Services Section of the Utilities Division reports that there have been zero (0) complaints, inquiries, or opinions against CBC from January 1, 2005 to December 31, 2007. In 2008, there were zero (0) complaints, and opinions and one (1) inquiry regarding construction. In 2009, there was one (1) complaint regarding Quality of Service which was resolved, one (1) inquiry regarding service and zero (0) opinions. According to the Corporation Division, CBC is in good standing. CBC's 2008 annual report is currently on file with the Commission. The Compliance Section reports that there are no current compliance delinquencies for CBC.

Recommendation

CBC currently provides resold intrastate, interexchange telecommunications services to two customers in Arizona and both customers have been directly notified of CBC's discontinuance of service effective July 1, 2009. As such, Staff recommends approval of CBC's request that the published notice requirements of A.A.C. R14-2-1107(A)(2) be waived. Staff

further recommends that CBC's CC&N to provide resold interexchange telecommunications services be cancelled. In addition, Staff recommends that the cancellation not become effective until a decision is issued by the Commission authorizing such cancellation. Upon cancellation of its CC&N, CBC will no longer be authorized to provide resold interexchange telecommunications services in Arizona. Therefore, CBC will no longer be subject to the requirements of Decision No. 61214. In addition, Staff recommends approval of CBC's request to cancel and withdraw its Arizona Telecommunications Tariff No. 2.