

OPEN MEETING ITEM



0000101459

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



ARIZONA CORPORATION COMMISSION

DATE: AUGUST 6, 2009
DOCKET NO: T-02960A-09-0229
TO ALL PARTIES:

Arizona Corporation Commission
DOCKETED

AUG - 6 2009

DOCKETED BY *MM*

Enclosed please find the recommendation of Administrative Law Judge Yvette B. Kinsey. The recommendation has been filed in the form of an Order on:

PAYPHONES PLUS, INC.
(CANCEL 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:

AUGUST 17, 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:

AUGUST 25, 2009 and AUGUST 26, 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.

RECEIVED

2009 AUG -6 P 3:13

AZ CORP COMMISSION
DOCKET CONTROL

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

280

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

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF
 PAYPHONES PLUS, INC. FOR APPROVAL TO
 CANCEL ITS CERTIFICATE OF CONVENIENCE
 AND NECESSITY TO PROVIDE CUSTOMER
 OWNED PAY TELEPHONE SERVICES IN
 ARIZONA.

DOCKET NO. T-02960A-09-0229
 DECISION NO. _____

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 Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. In Commission Decision No. 59297 (September 22, 1995), the Arizona Corporation Commission ("Commission") granted Payphones Plus, Inc. ("Payphones") a Certificate of Convenience and Necessity ("CC&N") to provide customer owned pay telephone ("COPT") services in Arizona.
2. On May 11, 2009, the Utilities Division ("Staff") docketed an email from Payphones which stated Payphones is no longer in business and has not been in business since June 30, 2006. The email also requests cancellation of Payphones' CC&N to provide COPT services in Arizona.
3. On May 19, 2009, Payphones filed a formal application with the Commission requesting cancellation of its CC&N to provide COPT services in Arizona. According to the application, Payphones waives its right to a hearing in this matter and is no longer providing COPT services to customers in Arizona.

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

IT IS FURTHER ORDERED that the tariffs of Payphones Plus, Inc., are hereby cancelled.
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, ERNEST G. JOHNSON,
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.

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

YBK:db

1 SERVICE LIST FOR: PAYPHONES PLUS, INC.

2 DOCKET NO.: T-02960A-09-0229

3

4 David McNeils
PAYPHONES PLUS INC.
1635 E. Redfield Road
5 Tempe, AZ 85283

6 Janice Alward, Chief Counsel
Legal Division
7 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
8 Phoenix, AZ 85007

9 Steve Olea, Director
Utilities Division
10 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
11 Phoenix, AZ 85007

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28