

OPEN MEETING ITEM



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Executive Director

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



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ARIZONA CORPORATION COMMISSION

2009 AUG -7 A 10:38

AZ CORP COMMISSION
DOCKET CONTROL

DATE: AUGUST 7, 2009
DOCKET NO: T-03560A-09-0225

TO ALL PARTIES:

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

COMCAST BUSINESS COMMUNICATIONS, LLC
(CANCEL CC&N/RESELLER)

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:

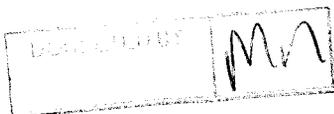
AUGUST 25, 2009 and AUGUST 26, 2009

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.

Arizona Corporation Commission

DOCKETED

AUG - 7 2009



ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 KRISTIN K. MAYES, Chairman
4 GARY PIERCE
5 PAUL NEWMAN
6 SANDRA D. KENNEDY
7 BOB STUMP

8 IN THE MATTER OF THE APPLICATION OF
9 COMCAST BUSINESS COMMUNICATIONS,
10 LLC FOR THE CANCELLATION OF ITS
11 CERTIFICATE OF CONVENIENCE AND
12 NECESSITY.

DOCKET NO. T-03560A-09-0225

DECISION NO. _____

ORDER

13 Open Meeting
14 August 25 and 26, 2009
15 Phoenix, Arizona

16 **BY THE COMMISSION:**

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

19 FINDINGS OF FACT

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

24 2. On May 8, 2009, Comcast filed with the Commission a Notice of Discontinuance of
25 Certain Telecommunications Services and an application to cancel its CC&N to provide resold
26 interexchange telecommunications services in Arizona. The application states Comcast plans to
27 discontinue providing resold interexchange services as of July 1, 2009, and that Comcast has two
28 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 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.

15 CHAIRMAN

COMMISSIONER

18 COMMISSIONER

COMMISSIONER

COMMISSIONER

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 _____ day of _____, 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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