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BEFORE THE ARIZONA CORPORATION C

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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

SEP - 3 2009

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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. 71264

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 4. On July 6, 2009, Staff filed a Memorandum in response to Payphones' application to  
2 cancel its CC&N. According to Staff's Memorandum, Payphones has no outstanding compliance  
3 issues, complaints, and no opinions or inquiries have been filed against Payphones for the period of  
4 January 1, 2006 to present.

5 5. According to the Corporations Division, Payphones is in good standing with the  
6 Commission.

7 6. Staff recommends approval of Payphone's application to cancel its CC&N granted in  
8 Decision No. 59297.

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

10 **CONCLUSIONS OF LAW**

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

13 2. The Commission has jurisdiction over Payphones and of the subject matter of the  
14 application.

15 3. The cancellation of Payphones' CC&N to provide customer owned pay telephone  
16 services in Arizona is in the public interest.

17 **ORDER**

18 IT IS THEREFORE ORDERED that the application of Payphones Plus, Inc., for cancellation  
19 of its Certificate of Convenience and Necessity to provide customer owned pay telephone services in  
20 Arizona is hereby granted.

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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 21<sup>st</sup> day of Sept, 2009.

  
ERNEST G. JOHNSON  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

YBK:db

1 SERVICE LIST FOR: PAYPHONES PLUS, INC.

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

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