

OPEN MEETING ITEM



0000102302

Executive Director

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



ARIZONA CORPORATION COMMISSION

ORIGINAL

Arizona Corporation Commission

DOCKETED

SEP - 8 2009

DATE: SEPTEMBER 8, 2009

DOCKET NO: T-03415A-08-0475

TO ALL PARTIES:

DOCKETED BY

Enclosed please find the recommendation of Administrative Law Judge Belinda A. Martin. The recommendation has been filed in the form of an Order on:

BEALS PAY PHONES, L.L.C.
(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:

SEPTEMBER 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:

SEPTEMBER 22, 2009 and SEPTEMBER 23, 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.

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DOCKET CONTROL
1200 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85007-2927
7009 SEP - 8 - 10:38

1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET, TUCSON, ARIZONA 85701-1347
www.azcc.gov

This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SABernal@azcc.gov

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
9 OF BEALS PAY PHONES, L.L.C. FOR THE
10 APPROVAL OF THE SALE OF ASSETS
AND/OR CANCELLATION OF THE
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE CUSTOMER-
OWNED PAY TELEPHONE SERVICE IN
THE STATE OF ARIZONA.

DOCKET NO. T-03415A-08-0475

DECISION NO. _____

ORDER

11 Open Meeting
12 September 22 and 23, 2009
13 Phoenix, Arizona

BY THE COMMISSION:

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

FINDINGS OF FACT

17 1. Beals Pay Phones, L.L.C. ("Applicant") has a Certificate of Convenience and
18 Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of
19 Arizona pursuant to Decision No. 60482 (November 25, 1997).

20 2. On September 11, 2008, the Applicant filed with the Commission an application for
21 cancellation of the Certificate ("Application").

22 3. On August 27, 2009, the Commission's Utilities Division Staff ("Staff") filed a Staff
23 Report, recommending approval of the Application and cancellation of the Applicant's Certificate
24 without a hearing.

25 4. According to Staff, on July 20, 2009, Staff contacted Gary Beals, the company's
26 owner, and confirmed that he is authorized to submit the Application. Staff also verified that the
27 Applicant does not wish to have a hearing in order to cancel the Certificate.
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ORDER

IT IS THEREFORE ORDERED that the Application of Beals Pay Phones, L.L.C., for the cancellation of the Certificate of Convenience and Necessity to provide customer-owned pay telephone service shall be, and is hereby, approved.

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 _____

1 SERVICE LIST FOR: BEALS PAY PHONES, L.L.C.

2 DOCKET NO.: T-03415A-08-0475

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4 Gary Beals
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9 Steve Olea, Director
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