

ORIGINAL

OPEN MEETING ITEM



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Executive Director

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



ARIZONA CORPORATION COMMISSION

DATE: JUNE 2, 2010  
DOCKET NO.: T-03786A-10-0114  
TO ALL PARTIES:

Arizona Corporation Commission  
**DOCKETED**  
JUN - 2 2010

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:

CALIFORNIA PAYPHONE NETWORK  
(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:

JUNE 11, 2010

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:

JUNE 29, 2010 AND JUNE 30, 2010

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.

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AZ CORP COMMISSION  
DOCKET CONTROL

*Ernest G. Johnson*  
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

7 IN THE MATTER OF THE APPLICATION OF  
8 CALIFORNIA PAYPHONE NETWORK FOR  
9 APPROVAL TO CANCEL A CERTIFICATE OF  
CONVENIENCE AND NECESSITY FOR  
CUSTOMER OWNED PAY TELEPHONE.

DOCKET NO. T-03786A-10-0114

DECISION NO. \_\_\_\_\_

**ORDER**

10 Open Meeting  
11 June 29 and 30, 2010  
12 Phoenix, Arizona

12 **BY THE COMMISSION:**

13 \* \* \* \* \*

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

16 **FINDINGS OF FACT**

17 1. In Commission Decision No. 62773 (August 2, 2000), the Arizona Corporation  
18 Commission ("Commission") granted California Payphone Network dba Consolidated Smart  
19 Systems ("CPN") a Certificate of Convenience and Necessity ("CC&N") to provide customer  
20 owned pay telephone ("COPT") services within the State of Arizona.

21 2. On March 30, 2010, CPN filed an application with the Commission to cancel its  
22 CC&N to provide COPT services in Arizona. The application was filed by Mr. Glenn S. Corey,  
23 chief financial officer, for CPN and states that CPN is no longer providing or never provided COPT  
24 service in Arizona. In addition, the application states that CPN waives its right to a hearing in this  
25 matter.

26 3. On April 23, 2010, Staff filed a memorandum in response to CPN's application to  
27 cancel its CC&N. According to Staff, CPN is in compliance with the Commission; no complaints,  
28 opinions, or inquires have been filed against CPN; CPN does not have any Arizona customers;

1 cancellation of CPN's CC&N poses no risk that advances, deposits, and/or prepayments will be lost  
2 by Arizona customers; and Staff recommends approval of CPN's application to cancel its CC&N.

3 4. Staff's recommendation for approval of CPN's application for cancellation of its  
4 CC&N, is reasonable and should be adopted.

5 **CONCLUSIONS OF LAW**

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

8 2. The Commission has jurisdiction over CPN and of the subject matter of the  
9 application.

10 3. The cancellation of CPN's CC&N to provide customer owned pay telephone services  
11 in Arizona is in the public interest.

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**ORDER**

IT IS THEREFORE ORDERED that California Payphone Network dba Consolidated Smart System's Certificate of Convenience and Necessity, granted in Commission Decision No. 62773 (August 2, 2001), to provide customer owned pay telephone services in Arizona is 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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
ERNEST G. JOHNSON  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

1 SERVICE LIST FOR: CALIFORNIA PAYPHONE NETWORK

2 DOCKET NO.: T-03786A-10-0114

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