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MEMORANDUM

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FROM: Steven M. Olea  
Director  
Utilities Division

*EA for SMD*

2010 NOV 22 P 1:11

AZ CORP COMMISSION  
DOCKET CONTROL

DATE: November 22, 2010

RE: IN THE MATTER OF THE APPLICATION OF ATMC, INC. FOR APPROVAL TO WITHDRAW ALL TARIFFS AND CERTIFICATIONS FOR DOING BUSINESS (DOCKET NO. T-04038A-08-0117)

Attached is the Staff Report for the above referenced application for approval to cancel its Certificate of Convenience and Necessity ("CC&N") to provide the following services:

- Competitive Resold Local Exchange Services

Staff recommends cancellation of the CC&N.

SMO:LLM:red

Originator: Lori L. Morrison

Attachment: Original and Thirteen Copies

Arizona Corporation Commission

DOCKETED

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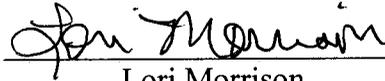
DOCKETED BY *[Signature]*

Service List For: ATMC, Inc.  
Docket No. T-04038A-08-0117

Ms Tina Meseberg  
Vice President, Operations  
ATMC, Inc.  
9045 Haven Avenue, #106  
Rancho Cucamonga, California 91730

## STAFF ACKNOWLEDGEMENT

The Staff Report for the application of ATMC, Inc., Docket No. T-04038A-08-0117, for approval to cancel their Certificate of Convenience and Necessity was the responsibility of the staff member listed below. Lori Morrison was responsible for the review and analysis of the application.

A handwritten signature in cursive script, appearing to read "Lori Morrison", is written over a horizontal line.

Lori Morrison  
Utilities Consultant

STAFF REPORT  
UTILITIES DIVISION  
ARIZONA CORPORATION COMMISSION

ATMC, INC.  
DOCKET NO. T-04038A-08-0117

IN THE MATTER OF THE APPLICATION OF ATMC, INC. FOR APPROVAL TO  
WITHDRAW ALL TARIFFS AND CERTIFICATIONS FOR DOING BUSINESS

NOVEMBER 22, 2010

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## **INTRODUCTION**

On February 28, 2008, ATMC, Inc. ("ATMC" or "Company") submitted an application to cancel its Certificate of Convenience and Necessity ("CC&N") to provide resold interexchange telecommunications within the State of Arizona. ATMC also requests the cancellation its Arizona tariff.

## **BACKGROUND**

On April 17, 2002, in Decision No. 64721, the Commission granted ATMC a CC&N to provide resold interexchange telecommunications services within the State of Arizona. Since ATMC did not collect advanced payments, deposits or prepayments from its customers, no bond was required.

## **STAFF'S ANALYSIS**

In its February 28, 2008 filing, ATMC states it has not done business in Arizona in several years and is withdrawing all tariffs and certifications for doing business in Arizona. On September 14, 2010, Staff sent ATMC a First Set of Data Requests ("First SDR"). Staff also called ATMC to verify that the First SDR had been received but was only able to leave a voice mail message. On October 8, 2010, the certified letter containing the First SDR was returned and the time for the forwarding address had expired. Staff sent the First SDR to the forwarding address that was provided with the returned mail but did not receive a signed confirmation from ATMC. Staff also made several attempts to call ATMC but no live person ever answered the telephone and all voice mailboxes were full.

The Compliance Section reports that there are no current compliance delinquencies for ATMC. The Consumer Services Section of the Utilities Division reports that there have been zero (0) complaints, inquiries, or opinions filed for ATMC. According to the Corporations Division, ATMC is not in good standing. ATMC filed its last annual report with the Corporations Division on for 2007 on June, 25, 2007 and its certification was revoked on December 12, 2008. ATMC's last filed an annual report with the Utilities Division in 2006.

## **RECOMMENDATION**

ATMC is not currently providing resold interexchange telecommunications services to any telecommunications customers in Arizona, it never collected deposits, advances or prepayments from Arizona customers and it has no affiliates that provide telecommunications services in Arizona. As such, Staff recommends that ATMC's CC&N to provide resold interexchange telecommunications services be cancelled. In addition, Staff recommends that the cancellation not become effective until a decision is issued by the Commission authorizing such cancellation. Upon cancellation of its CC&N, ATMC will no longer be authorized to provide resold local exchange telecommunications services in Arizona. Therefore, ATMC will no longer

ATMC, Inc.

Docket No. T-04038A-08-0117

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be subject to the requirements of Decision No. 64721. In addition, Staff recommends approval of ATMC's request to cancel and withdraw its Arizona tariff.