

OPEN MEETING ITEM



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COMMISSIONERS
GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

ORIGINAL



ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

JUN 2 2011

AZ CORP COMMISSION
DOCKET CONTROL

DATE: JUNE 2, 2011

DOCKET NO.: T-03463A-10-0511

DOCKETED BY

TO ALL PARTIES:

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

ARIZONA COIN TELEPHONE, INC.
(SALE/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 13, 2011

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 21, 2011 and JUNE 22, 2011

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

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

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

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE, Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

IN THE MATTER OF THE APPLICATION OF
ARIZONA COIN TELEPHONE, INC. FOR THE
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-03463A-10-0511

DECISION NO. _____

ORDER

Open Meeting
June 21 and 22, 2011
Phoenix, Arizona

BY THE COMMISSION:

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

FINDINGS OF FACT

1. Arizona Coin Telephone, Inc. ("Applicant") has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No. 60573 (January 14, 1998).

2. On December 21, 2010, the Applicant filed with the Commission an application for cancellation of the Certificate ("Application").

3. On January 24, 2011, the Commission's Utilities Division Staff ("Staff") filed a Staff Report, recommending approval of the Application and cancellation of the Applicant's Certificate without a hearing.

4. According to the Application, the Applicant's President, John C. Garrett, is the person authorized to file the Application. Mr. Garrett indicated the Applicant no longer provides COPT service in Arizona and requests cancellation of its Certificate without a hearing.

5. Staff stated that the Consumer Services Section of the Utilities Division reported that there are no consumer complaints, inquiries, or opinions filed against the Applicant. Staff noted that

1 the Compliance Section of the Utilities Division indicated that the Applicant does not have any
2 outstanding compliance issues with the Commission. Finally, Staff noted that the Commission's
3 Corporations Division reported that the Applicant is delinquent in filing its 2010 Annual Report and
4 is not in good standing.

5 6. Staff's recommendation is reasonable and should be adopted.

6 **CONCLUSIONS OF LAW**

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

9 2. The Commission has jurisdiction over the Applicant and the subject matter of the
10 Application.

11 3. The cancellation of the Applicant's Certificate is in the public interest.

12 4. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT
13 Certificates without a hearing.

14 5. Staff's recommendation is reasonable and should be adopted.

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ORDER

IT IS THEREFORE ORDERED that the Application of Arizona Coin Telephone, Inc. for the cancellation of its Certificate of Convenience and Necessity to provide customer-owned pay telephone service is approved and its Certificate of Convenience and Necessity 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 _____, 2011.

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

1 SERVICE LIST FOR: ARIZONA COIN TELEPHONE, INC.

2 DOCKET NO.: T-03463A-10-0511

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4 John C. Garrett, President
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6 Janice Alward, Chief Counsel
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9 Steven M. Olea, Director
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