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**BEFORE THE ARIZONA CORPORATION COMMISSION**

Arizona Corporation Commission

**DOCKETED**

MAY 27 2011

COMMISSIONERS

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

DOCKETED BY  
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IN THE MATTER OF THE APPLICATION OF  
LEGACY TELECOMMUNICATIONS  
CORPORATION TO CANCEL ITS CERTIFICATE  
OF CONVENIENCE AND NECESSITY TO  
PROVIDE COMPETITIVE INTRASTATE  
TELECOMMUNICATIONS SERVICES AS A  
RESELLER.

DOCKET NO. T-03705A-08-0349

DECISION NO. 72388

ORDER

Open Meeting  
May 24 and 25, 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. Pursuant to Decision No. 61988 (October 8, 1999), Legacy Telecommunications Corporation ("Legacy" or "Company") was granted a Certificate of Convenience and Necessity ("Certificate") to provide resold intrastate telecommunications services in Arizona.

2. On July 9, 2008, the Company filed with the Commission an application for the cancellation of its Certificate ("Application"). Legacy stated that it had ceased operations as of June 1, 2007, was no longer in business and that all of the assets had been sold and the proceeds paid to a bank which had been a secured creditor.

3. On July 22, 2008, the Commission's Utilities Division Staff ("Staff") sent Data Requests to Legacy, but received no response.

4. On December 22, 2010, Staff filed its Staff Report recommending approval of Legacy's Application.

5. Staff states the Company's Annual Reports which were filed from 1999 through 2006

1 indicate that Legacy did not provide service in Arizona or collect any advances, deposits and/or  
2 prepayments.

3 6. Staff reported that there were no customer complaints, inquiries or opinions against  
4 the Company from January 1, 2006 through September 28, 2010. Staff found further that the  
5 Commission's Corporations Division had revoked Legacy's ability to transact business in Arizona on  
6 July 2, 2008, for failure to file its annual report.

7 7. Staff states that since the Company had no Arizona customers and did not collect any  
8 advances, deposits and/or prepayments, the requirements of A.A.C. R-14-2-1107 should be waived.

9 8. Staff recommends approval of Legacy's Application and the cancellation of the  
10 Company's Certificate.

11 9. Staff's recommendations are reasonable and should be adopted.

12 **CONCLUSIONS OF LAW**

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

15 2. The Commission has jurisdiction over the Company and the subject matter of the  
16 Application.

17 3. The cancellation of the Company's Certificate is in the public interest, and the  
18 Application should be granted as recommended by Staff.

19 4. Pursuant to A.R.S. § 40-282, the Commission may issue decisions regarding  
20 Certificates of Convenience and Necessity for certain telecommunication services without a hearing.

21 5. The requirements of A.A.C. R14-2-1107 should be waived in this case.

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**ORDER**

IT IS THEREFORE ORDERED that the Application of Legacy Telecommunications Corporation for the cancellation of its Certificate of Convenience and Necessity to provide resold interexchange telecommunications services in Arizona is approved, and its Certificate of Convenience and Necessity is hereby cancelled.

IT IS FURTHER ORDERED that Legacy Telecommunications Corporation is hereby granted a waiver of A.A.C. R14-2-1107.

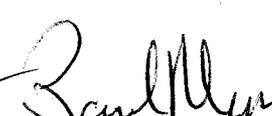
IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

  
CHAIRMAN

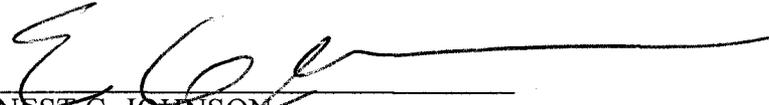
  
COMMISSIONER

  
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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 27<sup>th</sup> day of MAY, 2011.

  
ERNEST G. JOHNSON  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

MES:db

1 SERVICE LIST FOR: LEGACY TELECOMMUNICATIONS CORPORATION

2 DOCKET NO.: T-03705A-08-0349

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