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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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DOCKET NO. T-03644A-98-0622

DECISION NO. 61338

ORDER

1
2 JIM IRVIN
COMMISSIONER-CHAIRMAN
3 TONY WEST
COMMISSIONER
4 CARL J. KUNASEK
COMMISSIONER

5
6 IN THE MATTER OF THE APPLICATION OF
STEVE CUNNINGHAM DBA SALCOM FOR A
7 CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE CUSTOMER-OWNED
8 PAY TELEPHONE SERVICE IN THE STATE OF
ARIZONA.

9 Open Meeting
January 6 and 7, 1999
10 Phoenix, Arizona

11 **BY THE COMMISSION:**

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

14 **FINDINGS OF FACT**

- 15 1. On October 27, 1998, Steve Cunningham dba SALCOM ("Applicant") filed with the
16 Commission an application for a Certificate of Convenience and Necessity ("Certificate") to provide
17 customer-owned pay telephone ("COPT") service in the State of Arizona.
- 18 2. In Decision No. 55817 (December 10, 1987), the Commission found that COPT
19 providers were public service corporations subject to the jurisdiction of the Commission.
- 20 3. The Commission in Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901
21 through R14-2-909 to regulate COPT providers.
- 22 4. In Decision No. 58535 (February 14, 1994) the Commission adopted a Generic Tariff
23 which establishes rates and minimum service standards applicable to COPT service.
- 24 5. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT
25 Certificates without a hearing.
- 26 6. Applicant has requested that a Certificate be granted pursuant to A.A.C. R14-2-905,
27 and has indicated that it will provide COPT service pursuant to the rates, terms and conditions
28

1 specified in the Generic COPT Tariff.

2 7. Applicant is a sole proprietorship.

3 8. Applicant does not presently provide COPT service in Arizona.

4 9. Applicant plans to provide end-users with 0+, 1+ local calling card, long distance
5 service, and operator-assisted calls. A minimum of a three minute time limit will be allowed on local
6 calls.

7 10. Applicant submitted a sample customer information posting for the review of the
8 Commission's Utilities Division Staff ("Staff").

9 11. On November 27, 1998, Staff filed a Staff Recommendation, recommending approval
10 of the Applicant's application without a hearing.

11 12. Staff stated that Applicant filed a sample copy of its customer information placard,
12 which complied with the Generic COPT Tariff.

13 **CONCLUSIONS OF LAW**

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

16 2. The Commission has jurisdiction over Applicant and the subject matter of the
17 application.

18 3. Notice of the application was given in accordance with the law.

19 4. The provision of COPT service in Arizona by Applicant is in the public interest.

20 5. Applicant is a fit and proper entity to receive a Certificate for providing COPT service
21 in Arizona.

22 **ORDER**

23
24 IT IS THEREFORE ORDERED that the application of Steve Cunningham dba SALCOM for
25 a Certificate of Convenience and Necessity for authority to provide customer-owned pay telephone
26 service in Arizona shall be, and the same is, hereby granted.

1 IT IS FURTHER ORDERED that Steve Cunningham dba SALCOM shall comply with the
2 terms of the Generic COPT Tariff, unless otherwise ordered by the Commission, pursuant to A.A.C.
3 R14-2-906.

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

5 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

6
7 *James M. ...*
8 COMMISSIONER-CHAIRMAN

9
10
11 COMMISSIONER

12 *Carl ...*
13 COMMISSIONER

14 IN WITNESS WHEREOF, I, STUART R. BRACKNEY,
15 Acting Executive Secretary of the Arizona Corporation
16 Commission, have hereunto set my hand and caused the official
17 seal of the Commission to be affixed at the Capitol, in the City
18 of Phoenix, this 8 day of JAN, 1999.

19 *Stuart R. Brackney*
20 STUART R. BRACKNEY
21 ACTING EXECUTIVE SECRETARY

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PHOTO COPY

1 SERVICE LIST FOR:

STEVE CUNNINGHAM dba SALCOM

2 DOCKET NO. T-03644A-98-0622

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Steve Cunningham
2904 W. Hughes Drive
Payson, Arizona 85541

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Paul Bullis, Chief Counsel
ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85007

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Director, Utilities Division
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