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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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AZ CORP COMMISSION
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Arizona Corporation Commission

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[Signature]

IN THE MATTER OF THE APPLICATION
OF CREXENDO BUSINESS SOLUTIONS,
INC FOR APPROVAL OF A CERTIFICATE
OF CONVENIENCE AND NECESSITY TO
PROVIDE RESOLD LONG DISTANCE,
RESOLD LOCAL EXCHANGE AND
FACILITIES-BASED LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES IN
ARIZONA.

DOCKET NO. T-20737A-10-0144

PROCEDURAL ORDER

BY THE COMMISSION:

On April 13, 2010, Crexendo Business Solutions, Inc. ("Crexendo" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for approval of a Certificate of Convenience and Necessity ("CC&N") to provide resold long distance and resold local exchange telecommunication services in Arizona. Crexendo's application also requested a determination that its proposed services are competitive within the State of Arizona.

On July 26, 2010, the Commission's Utilities Division ("Staff") issued its First Set of Data Requests to the Company.

On August 16, 2010, Staff granted Crexendo a 45-day extension of time to file responses to the Data Request.

On October 12, 2010, Crexendo filed an amended application requesting authority to also provide facilities-based local exchange telecommunications services within the State of Arizona.

On November 10, 2010, Crexendo filed responses to Staff's First Set of Data Requests.

On March 24, 2011, Staff issued its Second Set of Data Requests to Crexendo.

On March 29, 2011, the Company filed Responses to Staff's Second Set of Data Requests.

On May 3, 2011, Staff filed a Staff Report recommending denial of Crexendo's application.

On June 14, 2011, by Procedural Order, a hearing on Crexendo's application was scheduled to

1 be held on August 25, 2011.

2 On June 24, 2011, Crexendo filed its affidavits that notice of the hearing had been published
3 in the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State
4 of Arizona.

5 On August 5, 2011, Crexendo filed its response to the Staff Report dated May 2, 2011.

6 On August 25, 2011, a full public hearing was convened before a duly authorized
7 Administrative Law Judge of the Commission at its offices in Phoenix, Arizona. Crexendo and Staff
8 appeared with counsel. At the conclusion of the hearing, the matter was taken under advisement
9 pending submission of a Recommended Opinion and Order ("ROO") to the Commission.

10 On August 31, 2011, the Company submitted its Corporate Organizational Chart of Crexendo,
11 Inc. as a Late-Filed Exhibit.

12 On November 14, 2011, a ROO granting approval of Crexendo's application, subject to
13 Staff's conditions, was issued for the Commission's consideration. Subsequently, discussion on the
14 ROO was set to be heard at the December 1, 2011, Securities Open Meeting.

15 On December 1, 2011, public comments on Crexendo's application were submitted to the
16 Commission by Lloyd D. Rickenbach, attorney at law. Mr. Rickenbach's comments were entitled
17 "essential new and undisclosed information related to Crexendo's application for a CC&N." The
18 comments state that Crexendo had failed to disclose pertinent information to the Commission
19 regarding its application. Due to Mr. Rickenbach's filing, the vote on the ROO was postponed,
20 pending further review of the newly docketed information.

21 Mr. Rickenbach's comments may contain additional information regarding Crexendo's
22 application and should be reviewed by Staff in its evaluation of the Company. Therefore, it is
23 appropriate for Staff to conduct a review of the information filed by Mr. Rickenbach and to file its
24 additional recommendations or comments. Further, it appropriate for the Company to file its
25 response to Mr. Rickenbach's comments.

26 IT IS THEREFORE ORDERED that **Staff** shall conduct a review of the information
27 submitted by Mr. Lloyd D. Rickenbach and Staff shall file by **December 8, 2011**, its comments or
28 additional recommendations related to its review.

1 IT IS FURTHER ORDERED that **Crexendo Business Solutions, Inc.** shall file by
2 **December 8, 2011**, its response or comments related to the information submitted to the Commission
3 by Mr. Lloyd D. Rickenbach.

4 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
5 31 and 38 and A.R.S. § 40-243 with respect to practice of law in Arizona and before the Commission
6 and admission *pro hac vice*.

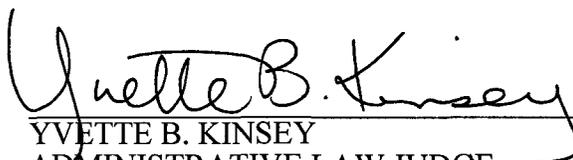
7 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
8 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
9 Supreme Court Rule 42). Representation before the Commission includes appearance at all hearings
10 and procedural conferences, as well as all Open Meetings for which the matter is scheduled for
11 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
12 Law Judge or the Commission.

13 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
14 Communications) applies to this proceeding and shall remain in effect until the Commission's
15 Decision in this matter is final and non-appealable.

16 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
17 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

18 Dated this 15th day of December, 2011

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YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered
2 this 15th day of December, 2011 to:

3 Michael W. Patten
4 Timothy J. Sabo
5 ROSHKA DEWULF & PATTEN, PLC
6 One Arizona Center
7 400 East Van Buren Street, Suite 800
8 Phoenix, AZ 85004
9 Local Counsel for Crexendo Business
10 Solutions, Inc.

11 Lance J.M. Steinhart, Esq.
12 LANCE J.M. STEINHART, P.C.
13 1725 Windward Concourse, Suite 150
14 Alpharetta, GA 30005
15 Attorney for Crexendo Business Solutions, Inc.

16 Jeff Korn, Chief Legal Officer
17 CREXENDO BUSINESS SOLUTIONS, INC.
18 1615 South 52nd Street
19 Tempe, AZ 85281

20 Janice Alward, Chief Counsel
21 Legal Division
22 ARIZONA CORPORATION COMMISSION
23 1200 West Washington Street
24 Phoenix, AZ 85007

25 Steven M. Olea, Director
26 Utilities Division
27 ARIZONA CORPORATION COMMISSION
28 1200 West Washington Street
Phoenix, AZ 85007

19 By: 
20 Debra Broyles
21 Secretary to Yvette B. Kinsey