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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission
DOCKETED

AUG 21 2012

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IN THE MATTER OF THE APPLICATION OF
PACIFIC CENTREX SERVICES, INC. FOR
APPROVAL TO CANCEL ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
RESOLD LONG DISTANCE, RESOLD AND
FACILITIES-BASED LOCAL EXCHANGE AND
ACCESS TELECOMMUNICATION SERVICES
IN ARIZONA.

DOCKET NO. T-04311A-12-0133

DECISION NO. 73355

ORDER

Open Meeting
August 14 and 15, 2012
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. On April 2, 2012, Pacific Centrex Services, Inc. ("PCSI" or "Company") filed with the Arizona Corporation Commission ("Commission") a letter requesting cancellation of its Certificates of Convenience and Necessity ("CC&N") to provide resold long distance, resold and facilities-based local exchange and access telecommunication services in Arizona.¹ In its letter, PCSI states that it has never conducted business in Arizona.

2. On July 26, 2012, the Commission's Utilities Division Staff ("Staff") filed a Staff Report in this matter recommending approval of PCSI's request to cancel its CC&Ns. According to the Staff Report, PCSI has never provided resold long distance or resold or facilities-based local

¹ On June 6, 2001, in Decision No. 63715, the Commission granted PCSI a CC&N to provide resold long distance telecommunications services in Arizona. On August 6, 2001, in Decision No. 63925, the Commission granted the Company a CC&N to provide resold and facilities-based local exchange and access telecommunications service in Arizona. The Decisions were deemed null and void for non-compliance on July 10, 2001, and September 11, 2001, respectively.

1 exchange or access telecommunication services in Arizona and PCSI has never collected deposits,
2 advances or prepayments from Arizona customers. Staff recommends a waiver the requirement to
3 publish notice pursuant to A.A.C R14-2-1107(A)(2) and cancellation of PSCI's CC&Ns to provide
4 resold long distance, resold and facilities-based local exchange and access telecommunication
5 services in Arizona.

6 3. A.A.C. R14-2-1107 requires a telecommunication company providing competitive
7 telecommunication service in Arizona to file an application for authorization with the Commission
8 before it discontinues service. The rule also requires the telecommunication company to verify that
9 its affected customers have been notified of the proposed discontinuance of service, to plan for the
10 refund of any deposits collected, to file with the Commission a list of alternate utilities providing the
11 same or similar service with the affected geographic area, and to publish legal notice of the
12 application to discontinue service. In Decision No. 67404 (November 2, 2004) the Commission
13 stated that it would render A.A.C. R14-2-1107 meaningless and would run afoul of the rule's intent
14 and plain language to exempt an Applicant from the requirement of the rule simply because the
15 Applicant is no longer providing service in Arizona. In the instant case, PSCI has affirmed that it has
16 never served customers in Arizona and therefore it is not holding customer deposits related to the
17 provision of service. Therefore, based on the above information, requiring PSCI to comply with the
18 provisions of A.A.C. R14-2-1107 serves no practical purpose as PSCI has never provided resold long
19 distance, or resold and facilities-based local exchange or access telecommunication services to any
20 customers in Arizona.

21 4. According to the Commission's Consumer Services Section, zero complaints,
22 inquiries, or opinions were filed against PSCI for the time period January 1, 2009 through June 19,
23 2012.

24 5. PCSI is not in good standing with the Commission's Corporations Division
25 ("Division") and the Division reports that PCSI's registration was revoked on April 8, 2008, for
26 failing to file its annual reports. Further, PCSI has never filed a Utilities Division annual report.

27 6. Due to the Company's authority to provide telecommunication services being
28 considered null and void in Arizona, the Commission's Compliance Section reports there are no

1 current compliance delinquencies for PCSI.

2 7. Staff's recommendations, as set forth herein, are reasonable and should be adopted.

3 **CONCLUSIONS OF LAW**

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

6 2. The Commission has jurisdiction over PCSI and the subject matter of the application
7 to cancel the Company's CC&Ns.

8 3. The cancellation of PCSI's CC&Ns is in the public interest.

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

10 **ORDER**

11 IT IS THEREFORE ORDERED that the application of Pacific Centrex Services, Inc. for the
12 cancellation of its Certificates of Convenience and Necessity to provide resold long distance, resold
13 and facilities-based local exchange and access telecommunications services in Arizona is hereby
14 granted and Pacific Centrex Services, Inc.'s Certificates of Convenience and Necessity are hereby
15 cancelled.

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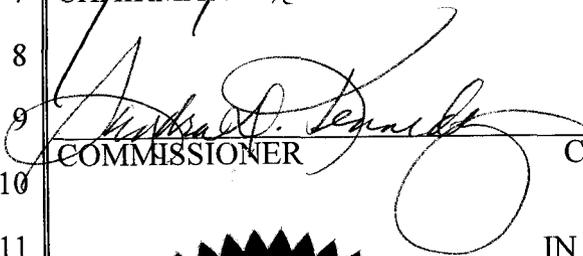
IT IS FURTHER ORDERED that Pacific Centrex Services, Inc. is hereby granted a waiver of the notice requirements contained in A.A.C. R14-2-1107.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

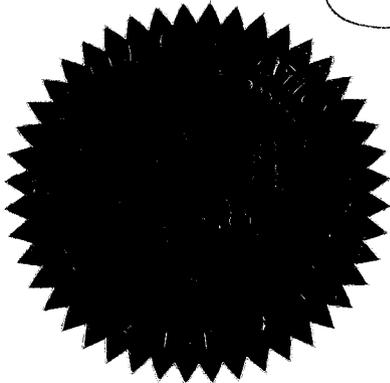

CHAIRMAN


COMMISSIONER


COMMISSIONER

EXCUSED
COMM. NEWMAN


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 21st day of August, 2012.



ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

YBK:db

1 SERVICE LIST FOR: PACIFIC CENTREX SERVICES, INC.

2 DOCKET NO.: T-04311A-12-0133

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