

ORIGINAL

OPEN MEETING ITEM



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



ARIZONA CORPORATION COMMISSION

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

DATE: NOVEMBER 19, 2012

DOCKET NO.: T-04284A-12-0131

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:

KEVIN KNUTSON DBA ORANGE COUNTY TELECOM
(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:

NOVEMBER 28, 2012

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:

DECEMBER 11, 2012 AND DECEMBER 12, 2012

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.

Arizona Corporation Commission

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ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

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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
KEVIN KNUTSON DBA ORANGE COUNTY
TELECOM FOR APPROVAL TO CANCEL ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR CUSTOMER-OWNED PAY
TELEPHONE SERVICES.

DOCKET NO. T-04284A-12-0131
DECISION NO. _____

ORDER

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. Kevin Knutson d/b/a Orange County Telecom ("Applicant") has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in Arizona pursuant to Decision No. 67950 (June 21, 2005).
2. April 4, 2012, the Applicant filed with the Commission an application for cancellation of its Certificate ("Application").
3. On October 29, 2012, the Commission's Utilities Division Staff ("Staff") filed a Staff Report noting that the Applicant no longer provides COPT service in Arizona and wished to cancel its Certificate without a hearing. Staff recommends approval of the Application.
4. Staff stated in its Staff Report that the Consumer Services Section of the Utilities Division reported there are no consumer complaints, inquiries, or opinions filed against the Applicant. The Compliance Section of the Utilities Division indicated that the Applicant does not have any outstanding compliance issues with the Commission.
5. Staff's recommendation is reasonable and shall be adopted.

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CONCLUSIONS OF LAW

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- 1. The Applicant is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.
- 2. The Commission has jurisdiction over the Applicant and the subject matter of the Application.
- 3. Cancellation of the Applicant's Certificate is in the public interest.
- 4. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT certificates without a hearing.
- 5. Staff's recommendation is reasonable and should be adopted.

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ORDER

IT IS THEREFORE ORDERED that the Application of Kevin Knutson d/b/a Orange County Telecom for cancellation of its Certificate of Convenience and Necessity to provide customer-owned pay telephone service in Arizona is approved and the Certificate of Convenience and Necessity granted in Decision No. 67950 is 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 _____ 2012.

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

1 SERVICE LIST FOR:

KEVIN KNUTSON DBA ORANGE COUNTY
TELECOM

2

3 DOCKET NO.:

DOCKET NO. T-04284A-12-0131

4 Kevin Knutson
5 ORANGE COUNTY TELECOM
6 10807 North Sundown Drive
7 Scottsdale, AZ 85060

8 Janice Alward, Chief Counsel
9 Legal Division
10 ARIZONA CORPORATION COMMISSION
11 1200 West Washington Street
12 Phoenix, AZ 85007

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