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OPEN MEETING ITEM



JODI JERICH  
Executive Director

SUSAN BERTER SMITH

ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION  
DOCKET CONTROL

DATE: FEBRUARY 12, 2014

DOCKET NO.: T-02995A-13-0474

TO ALL PARTIES:

ORIGINAL

Enclosed please find the recommendation of Administrative Law Judge Sasha Paternoster. The recommendation has been filed in the form of an Order on:

GASLIGHT THEATRE  
(CANCELLATION OF 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:

FEBRUARY 21, 2014

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:

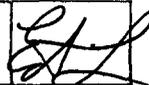
MARCH 11, 2014 and MARCH 12, 2014

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

DOCKETED

FEB 12 2014

DOCKETED BY 

  
JODI JERICH  
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET, TUCSON, ARIZONA 85701-1347  
[www.azcc.gov](http://www.azcc.gov)

This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail [SABernal@azcc.gov](mailto:SABernal@azcc.gov).

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**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

- BOB STUMP – Chairman
- GARY PIERCE
- BRENDA BURNS
- BOB BURNS
- SUSAN BITTER SMITH

IN THE MATTER OF THE APPLICATION OF  
 GASLIGHT THEATRE FOR APPROVAL TO  
 CANCEL ITS CERTIFICATE OF  
 CONVENIENCE AND NECESSITY.

DOCKET NO. T-02995A-13-0474  
 DECISION NO. \_\_\_\_\_

**ORDER**

Open Meeting  
 March 11 and 12, 2014  
 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. In Commission Decision No. 59468 (January 10, 1996), the Commission granted Gaslight Theatre (“Gaslight” or “Applicant”) a Certificate of Convenience and Necessity (“CC&N”) to provide customer owned pay telephone (“COPT”) services in Arizona.
2. On December 31, 2013, Gaslight filed an application with the Commission requesting approval to cancel its CC&N to provide COPT services in Arizona.
3. On January 24, 2014, the Commission’s Utilities Division (“Staff”) filed a Memorandum in response to Gaslight’s application to cancel its CC&N. Staff states it contacted Mr. Anthony D. Terry, Jr. and verified that he was authorized to file the application on behalf of the Applicant. According to Staff, Mr. Terry stated that he no longer provides COPT service in Arizona and that he waives his right to a hearing in this matter. Further, Staff states that the Commission’s Consumer Services Section reported that no complaints, inquires, or opinions have been filed against Gaslight. According to Staff, the Applicant is in good standing with the Commission’s Corporations

1 Division and the Commission's Compliance Section reports that no compliance items or  
2 delinquencies have been reported for the Applicant.

3 4. Staff recommends approval of Gaslight's application to cancel its CC&N.

4 5. Staff's recommendation to approve Gaslight's application for cancellation of its  
5 CC&N is reasonable and should be adopted.

6 **CONCLUSIONS OF LAW**

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

9 2. The Commission has jurisdiction over Gaslight and the subject matter of the  
10 application.

11 3. The cancellation of Gaslight's CC&N to provide COPT services in Arizona is in the  
12 public interest.

13 4. Gaslight waives its right to notice and a hearing in this matter.

14 5. Staff's recommendation is reasonable and should be adopted.

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**ORDER**

IT IS THEREFORE ORDERED that Gaslight Theatre's Certificate of Convenience and Necessity granted in Decision No. 59468 (January 10, 1996), to provide customer owned pay telephone services in Arizona is hereby 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, JODI A. JERICH, 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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
JODI A. JERICH  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_  
SP:tv

1 SERVICE LIST FOR: GASLIGHT THEATRE

2 DOCKET NO.: T-02995A-13-0474

3 Anthony Terry, Jr.  
4 President  
5 GASLIGHT THEATRE  
6 7010 E. Broadway  
7 Tucson, AZ 85710

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

13 Steven Olea, Director  
14 Utilities Division  
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