



0000159367

BEFORE THE ARIZONA CORPORATION COMMISSION

BOB STUMP

Chairman

GARY PIERCE

Commissioner

BRENDA BURNS

Commissioner

BOB BURNS

Commissioner

SUSAN BITTER SMITH

Commissioner

Arizona Corporation Commission

DOCKETED

DEC 18 2014

DOCKETED BY

IN THE MATTER OF THE APPLICATION
OF SBC LONG DISTANCE, LLC DBA SBC
LONG DISTANCE / AT&T LONG
DISTANCE FOR APPROVAL OF AN
ORDER RESCINDING THE BOND
REQUIREMENT CONTAINED IN ACC
DECISION NO. 67809

DOCKET NO. T-03346A-14-0332

DECISION NO. 74858

ORDER

Open Meeting
December 11 and 12, 2014
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On September 11, 2014, SBC Long Distance, LLC ("SBC LD" or "Applicant") submitted an Application requesting rescission of the \$100,000 performance bond requirement contained in Decision No. 67809.

Background

2. On April 6, 2014, in Decision No. 66891, the Arizona Corporation Commission ("Commission") ordered SBC LD to procure a performance bond equal to \$125,000. On March 21, 2005, SBC LD docketed a copy of a \$125,000 bond it had obtained in compliance with Decision No. 66891 and delivered the original to the Commission's Business Office.

3. On May 5, 2005, in Decision No. 67809, the Commission ordered SBC LD to procure a performance bond equal to \$100,000 and in Decision No. 67827 to procure a performance bond equal to \$10,000. On May 5, 2005, SBC LD docketed a copy of a bond rider it obtained increasing the

1 amount of its bond to \$235,000 in compliance with the requirements of Decision Nos. 67809 and
2 67827. This rider was not delivered to the Business Office.

3 4. On October 14, 2011, in Decision No. 72629, the Commission relieved SBC LD of the
4 \$125,000 bond requirement it had imposed in Decision No. 66891. However, the \$125,000 bond was
5 not returned and Utilities Division Staff ("Staff") confirmed that the Business Office remains in
6 possession of this bond.

7 **Compliance**

8 5. According to the Corporations Division, SBC LD is in good standing. The Compliance
9 Section of the Utilities Division reports that SBC LD is currently in compliance. The Consumer
10 Services Section of the Utilities Division reports there have been no complaints or opinions about
11 SBC LD for the period of January 1, 2011 to September 16, 2014.

12 **Staff Recommendations**

13 6. The Commission has, in appropriate circumstances, relieved telecommunications
14 providers of the obligation to maintain a performance bond or ISDLOC. Staff recommends SBC LD
15 be relieved of the \$110,000 performance bond obligations contained in Decision Nos. 67809 and
16 67827.

17 7. The Applicant states that in order to release the bond, it is sufficient for the
18 Commission to include in an ordering paragraph language authorizing the Applicant to cancel, rescind,
19 discontinue and be released from the performance bonds required by Decision Nos. 67809 and 67827.
20 The Applicant also requests, based on a request from its surety company, that the ordering paragraph
21 also reference the name of the surety company, Travelers Casualty and Surety Company of America.
22 Staff believes it is appropriate to grant this request.

23 8. SBC LD indicated to Staff the \$125,000 bond in possession of the Business Office
24 should be released and returned to the following name and address:

25 AT&T
26 C/O Richard T. Howell
27 208 S Akard Street
28 Room 2510.02
Dallas, Texas 75202

CONCLUSIONS OF LAW

1
2 1. SBC Long Distance, LLC is a public service corporation within the meaning of Article
3 XV of the Arizona Constitution.

4 2. The Commission has jurisdiction over SBC Long Distance, LLC and the subject
5 matter in this filing.

6 3. The Commission, having reviewed the filing and Staff's Memorandum dated
7 November 25, 2013, concludes that it is in the public interest to approve the SBC Long Distance, LLC
8 Application as proposed and discussed herein.

ORDER

9
10 IT IS THEREFORE ORDERED that the Application of SBC Long Distance, LLC to
11 terminate the performance bond requirement contained in Decision No. 67809 be and hereby is
12 approved.

13 IT IS FURTHER ORDERED that the performance bond requirement contained in Decision
14 No. 67827 is hereby terminated.

15 IT IS FURTHER ORDERED that SBC Long Distance, LLC may cancel, rescind,
16 discontinue and be released from any performance bond, irrevocable sight draft letter of credit or
17 other instrument obtained in compliance with the performance bond or irrevocable sight draft letter
18 of credit requirements set by Decision Nos. 67809 and 67827 and may direct its surety company,
19 Travelers Casualty and Surety Company of America, to do so.

20 ...

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

IT IS FURTHER ORDERED that any performance bond on file with the Commission on behalf of SBC Long Distance, LLC be returned to the following name and address provided by the Applicant:

AT&T
C/O Richard T. Howell
208 S Akard Street
Room 2510.02
Dallas, Texas 75202

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

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION


CHAIRMAN

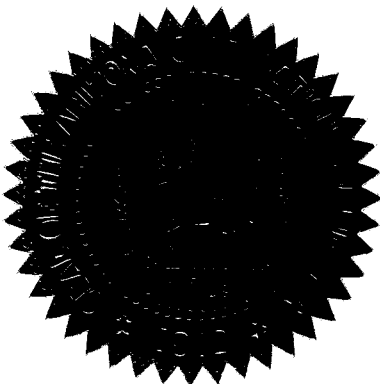

COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 18th day of December, 2014.




JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

SMO:MAC:sms\BH

1 SERVICE LIST FOR: SBC Long Distance, LLC
2 DOCKET NO. T-03346A-14-0332

3 Mr. Michael Grant
4 Gallagher & Kennedy, P. A.
5 2575 E. Camelback Rd.
6 11th Floor
7 Phoenix, Arizona 85016-9225

8 Mr. Steven M. Olea
9 Director, Utilities Division
10 Arizona Corporation Commission
11 1200 West Washington Street
12 Phoenix, Arizona 85007

13 Ms. Janice M. Alward
14 Chief Counsel, Legal Division
15 Arizona Corporation Commission
16 1200 West Washington Street
17 Phoenix, Arizona 85007

18 Ms. Lyn Farmer
19 Chief Administrative Law Judge
20 Arizona Corporation Commission
21 1200 West Washington Street
22 Phoenix, Arizona 85007
23
24
25
26
27
28