



0000161821

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 SUSAN BITTER SMITH - Chairman
4 BOB STUMP
4 BOB BURNS
5 DOUG LITTLE
5 TOM FORESE

Arizona Corporation Commission
DOCKETED

SEP 16 2015

DOCKETED BY 

7 IN THE MATTER OF THE APPLICATION OF
7 DAVID A. LEE DBA INTERSTATE TEXACO
8 FOR APPROVAL TO CANCEL ITS
8 CERTIFICATE OF CONVENIENCE AND
9 NECESSITY TO PROVIDE CUSTOMER OWNED
9 PAY TELEPHONE TELECOMMUNICATION
10 SERVICES IN ARIZONA.

DOCKET NO. T-02974A-15-0196

DECISION NO. 75276

ORDER

11 Open Meeting
11 September 8 and 9, 2015
12 Phoenix, Arizona

13 **BY THE COMMISSION:**

14 Having considered the entire record herein and being fully advised in the premises, the
15 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

16 * * * * *

17 **FINDINGS OF FACT**

18 1. In Decision No. 59896 (November 26, 1996), the Commission granted David A. Lee
19 dba Interstate Texaco ("Interstate" or the "Company") a Certificate of Convenience and Necessity
20 ("CC&N") to provide customer owned pay telephone ("COPT") telecommunication services in Arizona.

21 2. On June 12, 2015, Interstate filed an application with the Commission requesting
22 approval to cancel its CC&N to provide COPT services in Arizona. Interstate's application stated
23 that the Company no longer or never did provide COPT service in Arizona; that the Company waives
24 its right to notice and a hearing; and that Mr. David A. Lee is authorized by the Company to file the
25 application.

26 3. On July 23, 2015, the Commission's Utilities Division ("Staff") filed a Memorandum
27 in response to Interstate's application to cancel its CC&N. Staff states that the Commission's
28 Consumer Services Section reports that no complaints have been filed against Interstate from January

1 Consumer Services Section reports that no complaints have been filed against Interstate from January
2 1, 2012 through June 19, 2015, and that the Company's last Utilities Annual Report was filed in
3 2008, but that the Commission's Compliance Section reported that the Company is otherwise in
4 compliance. Staff recommends approval of the Company's application to cancel its CC&N and that
5 upon cancellation of Interstate's CC&N, the Company will no longer be authorized to provide COPT
6 telecommunication services in Arizona, or be subject to the requirements set forth in Decision No.
7 59896.

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

9 **CONCLUSIONS OF LAW**

10 1. David A. Lee dba Interstate Texaco is a public service corporation within the meaning
11 of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

12 2. The Commission has jurisdiction over David A. Lee dba Interstate Texaco and the
13 subject matter of the application.

14 3. The cancellation of David A. Lee dba Interstate Texaco's CC&N to provide customer
15 owned pay telephone telecommunication services in Arizona is in the public interest.

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

17 **ORDER**

18 IT IS THEREFORE ORDERED that David A. Lee dba Interstate Texaco's application for
19 approval to cancel its Certificate of Convenience and Necessity to provide customer owned pay
20 telephone telecommunication services in Arizona, is hereby approved.

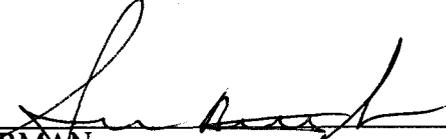
21 ...
22 ...
23 ...
24 ...
25 ...
26 ...
27 ...
28 ...

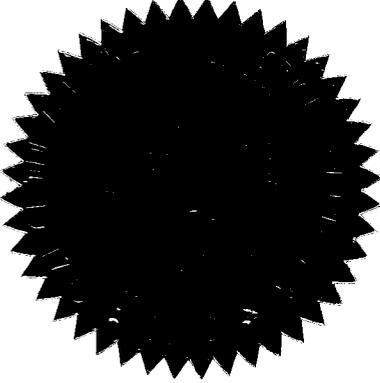
1 IT IS FURTHER ORDERED upon cancellation of David A. Lee dba Interstate Texaco's
2 Certificate of Convenience and Necessity, the Company will no longer be authorized to provide
3 customer owned pay telephone telecommunication services in Arizona, or be subject to the
4 requirements set forth in Decision No. 59896.

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

6 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

7
8
9
10
11

	
CHAIRMAN	COMMISSIONER
	
COMMISSIONER	COMMISSIONER
	
	COMMISSIONER



12
13
14
15
16

IN WITNESS WHEREOF, I, JODI 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 16th day of September 2015.

17
18



JODI JERICH
EXECUTIVE DIRECTOR

19 DISSENT _____

20
21 DISSENT _____
22 YK:tv(ru)

23
24
25
26
27
28

1 SERVICE LIST FOR: DAVID A. LEE DBA INTERSTATE TEXACO

2 DOCKET NO.: T-02974A-15-0196

3
4 David A. Lee
5 2120 South Milton
6 Flagstaff, AZ 86001

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

12 Thomas Broderick, Director
13 Utilities Division
14 ARIZONA CORPORATION COMMISSION
15 1200 West Washington Street
16 Phoenix, AZ 85007

17
18
19
20
21
22
23
24
25
26
27
28