

OPEN MEETING ITEM



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COMMISSIONERS
SUSAN BITTER SMITH - Chairman
BOB STUMP
BOB BURNS
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TOM FORESE



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ARIZONA CORPORATION COMMISSION

2015 JUL 28 A 8:56

AZ CORP COMMISSION
DOCKET CONTROL

ORIGINAL

DATE: JULY 28, 2015
DOCKET NO.: T-02953A-15-0209

TO ALL PARTIES:

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

ROBERT M. WELLINGS D/B/A AMERICAN GENERAL PAYPHONE
(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:

AUGUST 6, 2015

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:

AUGUST 18, 2015 AND AUGUST 19, 2015

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

JUL 28 2015

DOCKETED BY *MLB*

JODI JERICH
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347

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

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

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

8 IN THE MATTER OF THE APPLICATION OF
9 ROBERT M. WELLINGS DBA AMERICAN
10 GENERAL PAYPHONE FOR APPROVAL TO
11 CANCEL ITS CERTIFICATE OF CONVENIENCE
12 AND NECESSITY.

DOCKET NO. T-02953A-15-0209

DECISION NO. _____

ORDER

13 Open Meeting
14 August 18 and 19, 2015
15 Phoenix, Arizona

16 **BY THE COMMISSION:**

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

19 * * * * *

20 FINDINGS OF FACT

21 1. In Decision No. 59692 (June 5, 1996), the Arizona Corporation Commission
22 ("Commission") granted Robert M. Wellings d/b/a American General Payphone ("AGP" or
23 "Company") a Certificate of Convenience and Necessity ("CC&N") to provide customer owned pay
24 telephone ("COPT") telecommunication services in Arizona.

25 2. On June 23, 2015, AGP filed an application with the Commission requesting approval
26 to cancel its CC&N to provide COPT services in Arizona. AGP's application stated that the
27 Company is no longer, or never did, provide COPT service in Arizona; that the Company waives its
28 right to notice and a hearing; and that Mr. Robert Wellings was authorized by the Company to file the
application.

3. On July 23, 2015, the Commission's Utilities Division ("Staff") filed a Memorandum
recommending approval of RLC's application to cancel its CC&N. Staff states that the
Commission's Corporations Division reports no record for the Company as it is not incorporated in

1 Arizona; the Commission's Consumer Services Section reports that the Company has not been the
2 subject of any complaints, opinions, or inquiries; and the Company's last Utilities Annual Report was
3 submitted in 2010. Staff recommends approval of the Company's application and that upon
4 cancellation of the its CC&N, RLC will no longer be authorized to provide COPT
5 telecommunications services in Arizona, or be subject to the requirements set forth in Decision No.
6 59692 (June 5, 1996).

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

8 CONCLUSIONS OF LAW

9 1. Robert M. Wellings d/b/a American General Payphone is a public service corporation
10 within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

11 2. The Commission has jurisdiction over Robert M. Wellings d/b/a American General
12 Payphone and the subject matter of the application.

13 3. The cancellation of Robert M. Wellings d/b/a American General Payphone's CC&N
14 to provide customer owned pay telephone telecommunication services in Arizona is in the public
15 interest.

16 4. Robert M. Wellings d/b/a American General Payphone waives its right to notice and a
17 hearing in this matter.

18 5. Staff's recommendations are reasonable and should be adopted.

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ORDER

IT IS THEREFORE ORDERED that Robert M. Wellings d/b/a American General Payphone's application for approval to cancel its Certificate of Convenience and Necessity granted in Decision No. 59692 (June 5, 1996), to provide customer owned pay telephone telecommunication services in Arizona, is hereby approved.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN	COMMISSIONER	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 the Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____ 2015.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____
SMH:ru

1 SERVICE LIST FOR: ROBERT M. WELLINGS D/B/A AMERICAN
2 GENERAL PAYPHONE

3 DOCKET NO.: T-02953A-15-0209

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