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DOUG LITTLE
TOM FORESE

OPEN MEETING ITEM



JODI JERICH
Executive Director

ARIZONA CORPORATION COMMISSION

ORIGINAL

DATE: SEPTEMBER 24, 2015
DOCKET NO.: T-04172A-15-0128

Arizona Corporation Commission
DOCKETED
SEP 24 2015

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TO ALL PARTIES:

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

TELLOGIC, INC. DBA QUALITY TELEPHONE
(CC&N CANCELLATION)

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:

OCTOBER 5, 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:

OCTOBER 20, 2015 and OCTOBER 21, 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.

JODI JERICH
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347
www.cc.state.az.us

This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SBernal@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 TELLOGIC, INC. DBA QUALITY TELEPHONE
10 FOR APPROVAL TO CANCEL ITS
11 CERTIFICATE OF CONVENIENCE AND
12 NECESSITY.

DOCKET NO. T-04172A-15-0128

DECISION NO. _____

ORDER

13 Open Meeting
14 October 20 and 21, 2015
15 Phoenix, Arizona

16 **BY THE COMMISSION:**

17 * * * * *

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

20 FINDINGS OF FACT

21 1. On December 9, 2003, in Decision No. 66611, issued in Docket No. T-04172A-03-0153,
22 TelLogic, Inc. dba Quality Telephone ("TI") was granted a Certificate of Convenience and Necessity
23 ("CC&N") to provide resold local exchange telecommunications services within the state of Arizona. In the
24 Decision, TI was required to procure a \$25,000 performance bond and file proof of the performance bond,
25 within 365 days after the effective date of the Decision or within 30 days before providing service,
26 whichever came first.

27 2. On April 8, 2009, TI filed proof of a \$25,000 performance bond, effective March 31, 2009
28 to May 31, 2010.

On April 15, 2015, TI filed with the Commission a letter requesting to cancel its
CC&N, stating that TI ceased providing resold local exchange telecommunications services by no later than
September 7, 2012 and has no customers in Arizona. In its letter, TI requested a waiver of the notice
requirements in Arizona Administrative Code ("A.A.C.") R14-2-1107, asserting that TI no longer had

1 customers with which to provide notice. Further, pursuant to TI's letter, any documents related to the
2 expired bond and any other bond related documents should be returned to the following name and address:

3 Ms. Joan L. Parker
4 Regulatory Analyst
5 TelLogic, Inc. dba Quality Telephone
Post Office Box 130659
6 Dallas, Texas 75313-0659

7 4. On September 10, 2015, Commission's Utilities Division ("Staff") filed a Staff Report
8 in this matter recommending approval of TI's application to cancel its CC&N.

9 5. According to the Commission's Consumer Services Section, zero complaints,
10 inquiries, or opinions were filed against TI for the time period January 1, 2012 through April 22,
11 2015.

12 6. The Commission's Compliance Section reports there are no current compliance
13 delinquencies for TI. Per the Staff Report, the Corporations Division reports that TI's registration has
14 been revoked and that TI is not in good standing for failure to file its 2013, 2014, and 2015 Annual
15 Reports. TI has not filed an Annual Utilities Report with the Utilities Division since April 22, 2011
16 for the year ending December 31, 2010.

17 7. A.A.C. R14-2-1107 requires that an application to discontinue service include
18 verification that all affected customers have been notified of the proposed discontinuance and that all
19 affected customers will have access to an alternative provider. Staff recommends approval of TI's
20 request to cancel its CC&N to provide resold local exchange telecommunications services. Staff also
21 recommends granting TI's request to waive the direct and published notice requirements of A.A.C.
22 R14-2-1107, because TI is not providing resold local exchange telecommunications services to any
23 customers in Arizona.

24 8. To the extent any of TI's bond documents remain on file with the Commission, such
25 documents shall be returned to the name and address requested by TI and that appears in Findings of
26 Fact No. 3.

27 9. Staff's recommendations are reasonable and should be adopted.

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CONCLUSIONS OF LAW

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1. TelLogic, Inc. dba Quality Telephone 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 TelLogic, Inc. dba Quality Telephone and the subject matter of the application.

3. The cancellation of TelLogic, Inc. dba Quality Telephone's CC&N to provide competitive resold local exchange telecommunications services within the state of Arizona is in the public interest.

4. For the reasons stated herein, TelLogic, Inc. dba Quality Telephone should be granted a waiver of the notice and publication requirements of A.A.C. R14-2-1107.

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

ORDER

IT IS THEREFORE ORDERED that the application of TelLogic, Inc. dba Quality Telephone for the cancellation of its Certificate of Convenience and Necessity to provide resold local telecommunications services within the State of Arizona shall be, and is hereby, approved, and the Certificate of Convenience and Necessity is cancelled.

IT IS FURTHER ORDERED that TelLogic, Inc. dba Quality Telephone is hereby granted a waiver of the notice requirements of A.A.C. R14-2-1107.

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1 IT IS FURTHER ORDERED that TelLogic, Inc. dba Quality Telephone's expired bond and any
2 other bond related documents on file with the Commission shall be returned to:

3 Ms. Joan L. Parker
4 Regulatory Analyst
5 TelLogic, Inc. dba Quality Telephone
6 Post Office Box 130659
7 Dallas, Texas 75313-0659

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

9 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

10 _____ CHAIRMAN _____ COMMISSIONER

11 _____ COMMISSIONER _____ COMMISSIONER _____ COMMISSIONER

12
13 IN WITNESS WHEREOF, I, JODI JERICH, Executive
14 Director of the Arizona Corporation Commission, have
15 hereunto set my hand and caused the official seal of the
16 Commission to be affixed at the Capitol, in the City of Phoenix,
17 this _____ day of _____ 2015.

18 _____
19 JODI JERICH
20 EXECUTIVE DIRECTOR

21 DISSENT _____

22 DISSENT _____
23 SP:ru(tv)

1 SERVICE LIST FOR: TELLOGIC, INC. dba QUALITY TELEPHONE

2 DOCKET NO.: T-04172A-15-0128

3

4 Joan L. Parker
Regulatory Analyst – TelLogic, Inc. dba Quality Telephone
PO Box 130658
5 Dallas, TX 75313-0659

6 Janice Alward, Chief Counsel
Legal Division
7 ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
8 Phoenix, Arizona 85007

9 Thomas Broderick, Director
Utilities Division
10 ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
11 Phoenix, Arizona 85007

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