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BEFORE THE ARIZONA CORPORATION COMMISSION

SUSAN BITTER SMITH
Chairman
BOB STUMP
Commissioner
BOB BURNS
Commissioner
DOUG LITTLE
Commissioner
TOM FORESE
Commissioner

Arizona Corporation Commission
DOCKETED
OCT 27 2015
DOCKETED BY [Signature]

IN THE MATTER OF THE COMMISSION )
ON ITS OWN MOTION INVESTIGATING )
THE FAILURE OF NUMEROUS UTILITIES )
TO FILE ANNUAL REPORTS FOR )
CALENDAR YEAR 2013. )

DOCKET NO. C-00000A-15-0118
DECISION NO. 75315
ORDER TO SHOW CAUSE

Open Meeting
October 20 and 21, 2015
Phoenix, Arizona

BY THE COMMISSION:

The Arizona Corporation Commission ("Commission"), hereby issues this
Complaint and Order to Show Cause against the following Respondents:

Table with 2 columns: DOCKET NO. and COMPANY NAME. Rows include American Cyber Corporation dba Discount Plus, American Technologies, Inc. dba Network Utilization Services, Bachmann Springs Utility Company, Baldwin County Internet/DSSI Service, L.L.C., Beaver Valley Water Company, Inc., Bellemont Water Co., Candace Adair dba Adair Communications, Charles Bellows dba J B Payphones, Crown King Water Company, Inc., and CVC CLEC, LLC.

1	T-20615A	EMC Telecom Corporation
2	T-02774A	Go Solo Technologies, Inc.
3	T-02814A	Inmate Communications Corporation
4	T-04222A	LDC Enterprises, Inc. dba Full Serv Gas
5	T-03132A	LDC Telecommunications, Inc.
6	T-03669A	Legacy Long Distance International, Inc.
7	W-02164A	Morristown Water Company
8	T-03651A	OLS, Inc.
9	T-04021A	Pacific Communications, LLC
10	T-03435A	Salty Dawg, Inc. dba 5 & Diner
11	T-03984A	SNIP Link, LLC
12	W-01407A	Strawberry Water Company
13	T-04213A	T.N.C., Inc.
14	T-03949A	TCAST Communications, Inc.
15	T-04234A	Teledata Solutions, Inc.
16	T-03363A	Teletrust, Inc.
17	W-02419A	Tubac Water Company, Inc.
18	T-04261A	United American Technology, Inc.
19	T-03599A	Uni-Tel Communications Group, Inc.
20	W-01084A	William P. Farr dba Salome Water Company
21	W-02173A	Willow Lakes Property Owners Association, Inc.
22	T-04156A	Yak America, Inc.

#### FINDINGS OF FACT

The Commission, for its Complaint, and Order to Show Cause alleges as follows:

1. The Commission is an agency of the State of Arizona, existing by virtue of Article 15 of the Arizona Constitution.
2. Respondents are public service corporations as defined by Article 15, Section 2 of the Arizona Constitution, and were issued Certificates of Convenience and Necessity in accordance with Arizona Revised Statutes § 40-281.

1           3.    As public service corporations, respondents are subject to the jurisdiction of the  
2 Commission with regard to the matters herein alleged.

3           4.    This Complaint and Order to Show Cause is initiated and authorized pursuant to  
4 Arizona Revised Statutes, §§ 40-202, 40-204, 40-425, 40-426, and Arizona Administrative Code  
5 R14-2-411.D.4, R14-2-510.G.4, R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.

6           5.    Investigation by the Commission’s Staff (“Staff”) reveals and the Commission  
7 alleges that Respondents have violated Arizona Revised Statutes and Commission Rules. The  
8 Commission alleges the following in support of this claim:

9           A.    Pursuant to Arizona Revised Statutes § 40-204 and Arizona Administrative Code  
10 R14-2-411.D.4, R14-2-510.G.4, R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.,  
11 all public service corporations in Arizona are required to file an annual report on or  
12 before April 15 of each year.

13           B.    Despite repeated attempts by the Staff to persuade Respondents to file such reports,  
14 Respondents have failed to do so and are thus in violation of Arizona Revised  
15 Statutes § 40-204 and Arizona Administrative Code, R14-2-411.D.4, R14-2-510.G.4,  
16 R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.

17           C.    Pursuant to Arizona Revised Statutes § 40-204, Respondents are in contempt of the  
18 Commission for their failure to comply with the aforementioned rules and  
19 requirements of the Commission.

20           6.    The violations of Respondents to the aforementioned rules and requirements, as  
21 alleged herein, constitutes grounds to assess a civil penalty against Respondents pursuant to  
22 Arizona Revised Statutes §§ 40-424 and 40-425, in an amount not less than \$100 nor more than  
23 \$5,000 for each violation, and/or revoke respondents certificate of convenience and necessity.  
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CONCLUSIONS OF LAW

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1. The Respondents are public service corporations within the meaning of Article XV of the Arizona Constitution and is subject to the jurisdiction of the Commission.
2. The Commission has jurisdiction over the subject matter of Staff's Complaint and Order to Show Cause.
3. Notice of this proceeding has been given in accordance with law.

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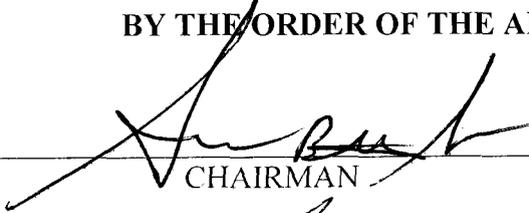
ORDER

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IT IS THEREFORE ORDERED that Respondents appear before the Arizona Corporation Commission at a time and place designated by the Commission's Hearing Division and show cause why the Commission should not find Respondents in violation and contempt of Arizona Laws and Commission rules, and show cause why the Commission should not assess against Respondents penalties as provided in Arizona Revised Statutes §§ 40-424 and 40-425, and/or cancel the Respondents certificate of convenience and necessity.

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 27<sup>th</sup> day of October, 2015.

  
JODI JERICH  
EXECUTIVE DIRECTOR

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

## 1 SERVICE LIST FOR: Various Regulated Utility Companies

2 DOCKET NO. C-00000A-15-0118

3 American Cyber Corporation dba Discount Plus	Inmate Communications Corporation 1640 South Sepulveda Boulevard, Suite 207 Los Angeles, California 90025-7586
4 107 West Michigan, 4 <sup>th</sup> Floor Kalamazoo, Michigan 49007	
5 American Technologies, Inc. dba Network Utilization Services PO Box 990-165 Boston, Massachusetts 02199	LDC Enterprises, Inc. dba Full Serv Gas 2100 West Acoma Lake Havasu City, Arizona 86403
6	
7	LDC Telecommunications, Inc. 2451 McMullen Booth Road, Suite 200 Clearwater, Florida 33759
8 Bachmann Springs Utility Company PO Box 9 Tombstone, Arizona 85638	
9	Legacy Long Distance International, Inc. c/o Rueben Quinonescastro 10833 Valley View Street, Suite 150 Cypress, California 90630
10 Baldwin County Internet/DSSI Service, L.L.C. 1240 Commerce Drive, Suite A Gulf Shores, Alabama 36542	
11	Morristown Water Company c/o Jim Konin, Acting President PO Box 156 Morristown, Arizona 85342
12 Beaver Valley Water Company, Inc. PO Box 421 Payson, Arizona 85547	
13	OLS, Inc. 217 Roswell Street, Suite 100 Alpharetta, Georgia 30069
14 Belmont Water Co. PO Box 31176 Flagstaff, Arizona 86003	
15	Pacific Communications, LLC 575 Anton Boulevard, Suite 900 Costa Mesa, California 92626
16 Candace Adair dba Adair Communications 4218 West Flower Street Phoenix, Arizona 85019-4135	
17	Salty Dawg, Inc. dba 5 & Diner 4520 North Stone Avenue Tucson, Arizona 85705
18 Charles Bellows dba J B Payphones 4630 First North Avenue PO Box 573 Joseph City, Arizona 86032	
19	SNIP Link, LLC 100-A Twinbridge Drive Pennsauken, New Jersey 08110
20 Crown King Water Company, Inc. 4918 West Park View Lane Glendale, Arizona 85310	
21	Strawberry Water Company HC 1 Box 817 Pine, Arizona 85544-9719
22 CVC CLEC, LLC 5909 NW Expressway, Suite 101 Oklahoma City, Oklahoma 73132	
23	T.N.C., Inc. 5408 North 99 <sup>th</sup> Street, Suite C Omaha, Nebraska 68134
24 EMC Telecom Corporation 2533 North Carson Street, Suite 125 Carson, Nevada 89706	
25	TCAST Communications, Inc. 24251 Town Center Drive, 2 <sup>nd</sup> Floor Valencia, California 91355
26 Go Solo Technologies, Inc. 5410 Mariner Street, Suite 175 Tampa, Florida 33609	
27	Teledata Solutions, Inc. 1767 Route 22 West Union, New Jersey 07083
28	

1 Teletrust, Inc.  
419 South Walnut  
2 Sherman, Texas 75090

3 Tubac Water Company, Inc.  
c/o John Crowley  
4 1444 Wazee Street, Suite 350  
Denver, Colorado 80202

5  
6 United American Technology, Inc.  
1427 Fretz Drive  
Edmond, Oklahoma 73003

7  
8 Uni-Tel Communications Group, Inc.  
PO Box 1000  
Naperville, Illinois 60563

9  
10 William P. Farr dba Salome Water Company  
PO Box 550  
Salome, Arizona 85348

11  
12 Willow Lakes Property Owners Association,  
Inc.  
PO Box 875  
13 Benson, Arizona 85602

14 Yak America, Inc.  
PO Box 414629  
15 Miami Beach, Florida 33141

16 Mr. Thomas M. Broderick  
Director, Utilities Division  
17 Arizona Corporation Commission  
1200 West Washington Street  
18 Phoenix, Arizona 85007

19 Ms. Janice M. Alward  
Chief Counsel, Legal Division  
20 Arizona Corporation Commission  
1200 West Washington Street  
21 Phoenix, Arizona 85007

22 Mr. Dwight Nodes  
Chief Administrative Law Judge, Hearing  
23 Division  
Arizona Corporation Commission  
24 1200 West Washington Street  
Phoenix, AZ 85007

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