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BEFORE THE ARIZONA CORPORATION COMMISSION

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TOM FORESE
Chairman
BOB BURNS
Commissioner
DOUG LITTLE
Commissioner
ANDY TOBIN
Commissioner
BOYD DUNN
Commissioner

Arizona Corporation Commission

DOCKETED

MAY 22 2017

DOCKETED BY

GB

IN THE MATTER OF THE APPLICATION
OF TCO NETWORK, INC. APPLICATION
FOR APPROVAL FOR RESCISSION OF
BOND IN ARIZONA CORPORATION
COMMISSION DECISION NO. 73133

DOCKET NO. T-20552A-17-0067

DECISION NO. 76086

ORDER

Open Meeting
May 9 and 10, 2017
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On March 7, 2017, TCO Network, Inc. ("TCO" or "Applicant" or "Company") submitted an Application requesting elimination of the bond or letter of credit requirement contained in Decision No. 73133.

Background

2. In Docket No. T-20552A-07-0537, on February 21, 2012, TCO filed an application for a Certificate of Convenience and Necessity ("CC&N") to provide telecommunications service in the State of Arizona. On January 12, 2012, Staff filed its Report in the Docket recommending TCO procure either a performance bond or an irrevocable sight draft letter of credit ("ISDLOC") equal to \$25,000, file proof of such, and deliver the original to the Commission's Business Office. In response to the recommendation in the Staff Report, on February 21, 2012, TCO filed proof that it had obtained a bond in the amount of \$25,000 and had delivered the original to the Commission's Business Office. In Decision No. 73133, dated May 1, 2012, TCO was ordered to keep the bond on file in effect until further order of the Commission.

1 3. Staff has confirmed the Utilities Division is in possession of an original bond, with the
2 named Principal as TCO Network, Inc., in the amount of \$25,000 dated January 30, 2012 and naming
3 the Commission as the Trustee.

4 **Compliance**

5 4. According to the Corporations Division, TCO is in good standing. The Compliance
6 Section of the Utilities Division reports that TCO is currently in compliance. The Consumer Services
7 Section of the Utilities Division reports there were no complaints or opinions about TCO between
8 January 1, 2014 and March 17, 2017. TCO filed its 2015 Utilities Annual Report on April 11, 2016.

9 **Staff Recommendations**

10 5. The Commission has, in appropriate circumstances, relieved telecommunications
11 providers of the obligation to maintain a performance bond or ISDLOC. Staff recommends TCO be
12 relieved of the \$25,000 performance bond or ISDLOC obligation contained in Decision No. 73133.

13 6. The Applicant states that in order to release the bond, it is sufficient for the
14 Commission to include in an ordering paragraph language authorizing the Applicant to cancel, rescind,
15 discontinue and be released from the performance bond or ISDLOC requirements set by Decision
16 No. 73133 and authorizing cancellation of the bond effective with the date of the Order issued in this
17 case.

18 7. TCO requested that the bond documentation should be returned to the following
19 name and address:

20 Mr. William F. Linsmeier
21 TCO Network, Inc.
22 13400 Bishops Lane
23 Suite 295
24 Brookfield, WI 53005

24 CONCLUSIONS OF LAW

25 1. TCO Network, Inc. is a public service corporation within the meaning of Article XV
26 of the Arizona Constitution.

27 2. The Commission has jurisdiction over TCO Network, Inc. and the subject matter in
28 this filing.

1 IT IS FURTHER ORDERED that the bond documentation on file with the Commission on
2 behalf of TCO Network, Inc. be returned to the following name and address provided by the
3 Applicant:

4 Mr. William F. Linsmeier
5 TCO Network, Inc.
6 13400 Bishops Lane
7 Suite 295
8 Brookfield, WI 53005

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

10 BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

11 *[Handwritten Signature]*

12 CHAIRMAN

11 *[Handwritten Signature]*

12 COMMISSIONER

13 *[Handwritten Signature]*

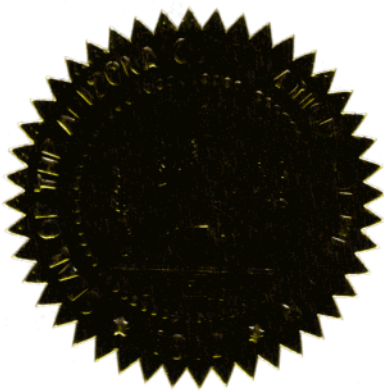
14 COMMISSIONER

13 *[Handwritten Signature]*

14 COMMISSIONER

13 *[Handwritten Signature]*

14 COMMISSIONER



16 IN WITNESS WHEREOF, I, TED VOGT, Executive
17 Director of the Arizona Corporation Commission, have
18 hereunto, set my hand and caused the official seal of this
19 Commission to be affixed at the Capitol, in the City of
20 Phoenix, this 22nd day of May, 2017.

20 *[Handwritten Signature]*

21 TED VOGT
22 EXECUTIVE DIRECTOR

23 DISSENT: _____

24 DISSENT: _____

25 EOA:MAC:nr\CHH

1 SERVICE LIST FOR: TCO NETWORK, INC
2 DOCKET NO. T-20552A-17-0067

3 Mr. William F. Linsmeier
4 TCO Network, Inc.
5 13400 Bishops Lane
6 Suite 295
7 Brookfield, Wisconsin 53005

8 Mr. Matt W. Dean
9 12316 Hidden Forest Boulevard
10 Oklahoma City, Oklahoma 73142

11 Mr. Andy Kvesic
12 Director/Chief Counsel, Legal Division
13 Arizona Corporation Commission
14 1200 West Washington Street
15 Phoenix, Arizona 85007
16 Legaldiv@azcc.gov

17 Utldivservicebyemail@azcc.gov

18 **Consented to Service by Email**

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