

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Cancellation of the)
Certificate of Service Authority and Tariff)
of Globcom, Incorporated.)

Case No. XD-2007-_____

**MOTION TO OPEN CASE AND CANCEL
CERTIFICATE OF SERVICE AUTHORITY AND TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves the Commission to open a case and cancel the Certificate of Service Authority it has granted to Globcom, Incorporated, as well as the company's tariff. In support of its Motion, the Staff respectfully states as follows:

1. The Commission granted Globcom, Incorporated a certificate of service authority to provide interexchange telecommunications services in Case No. XA-2003-0483 on June 12, 2003. The Commission approved the company's tariff, P.S.C. MO. TARIFF No. 1, in the same case.

2. Globcom, Incorporated is an Illinois corporation and the Missouri Secretary of State website indicates that the company's authority to do business in the state of Missouri was revoked as of March 30, 2004. The company's registered agent resigned on May 16, 2005. Section 351.602.3 RSMo. (2000) states that "[t]he authority of a foreign corporation to transact business in this state ceases on the date shown on the certificate revoking its certificate of authority."

3. Both telephone numbers provided to the Commission are no longer operational and no new numbers are available. However, mail sent to the address provided by the company has not been returned to the Commission as undeliverable.

4. In keeping with indications that the company has ceased operations, Globcom, Incorporated has not submitted a 2005 annual report or a fiscal year 2007 statement of revenue to the Commission. The Commission mailed copies of the annual report and statement of revenue forms to the company in January 2006 and those were not returned, but (as noted below) the company no longer appears to occupy the offices at the address provided to the Commission. No customers have contacted the Commission to make complaints about Globcom, Incorporated since the commencement of the Commission's Electronic Filing and Information System.

5. Staff notes that the Commission authorized its General Counsel to bring a penalty action against Globcom, Incorporated for its failure to submit annual reports and pay assessments in Cole County Circuit Court in its *Order Granting Default* in Case No. XC-2006-0051 of September 20, 2005. The case filed in Cole County Circuit Court, Case No. 05AC-CC0135, was ultimately dismissed because the Commission was unable to obtain valid service of process upon the company. As noted above, the company's Missouri registered agent resigned without replacement on May 16, 2005 – after the Commission successfully obtained service in Case No. XC-2006-0051. The Commission initially attempted service in the Circuit Court case via registered mail on the company's corporate address. The return was not completed. The Commission next attempted service on the company's president's home address. Again, the return was not completed. Finally, the Commission retained the Cook County, Illinois sheriff's office to provide personal service upon the company. The defendant was not served because the address was vacated by the defendant. As the Commission was unable to obtain service of process against the defendant, the court ultimately dismissed the case without prejudice.

6. Because Globcom, Incorporated no longer has authority to transact business in Missouri, and because it has apparently ceased to exist and cannot be contacted, the Staff

recommends that the Commission issue an order canceling Globcom, Incorporated's certificate and tariff.

7. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2005), which provides:

Any certificate of service authority may be altered or modified by the commission after notice and hearing, upon its own motion or upon application of the person or company affected.

However, the Commission need not hold a hearing, if, after proper notice and opportunity to intervene, no party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. 1989).

8. Section 351.594 provides that "[a] foreign corporation may be served by registered or certified mail, return receipt requested, addressed to the secretary of the foreign corporation at its principal office shown in its application for a certificate of authority or in its most recent annual report, if the foreign corporation: (1) Has no registered agent ... or (3) has had its certificate of authority revoked under section 351.602." Both of these circumstances apply here. Copies of this Motion are being served via certified mail upon the address it has provided to the Commission.

WHEREFORE, the Staff recommends the Commission cancel the Certificate of Service Authority it has granted to Globcom, Incorporated to provide intrastate interexchange telecommunications services in Case No. XA-2003-0483 on June 12, 2003, as well as the company's tariff, P.S.C. MO. TARIFF No. 1.

Respectfully submitted,

/s/ David A. Meyer

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Senior Counsel
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or electronically mailed to all parties of record as shown below this 24th day of October 2006.

/s/ David A. Meyer

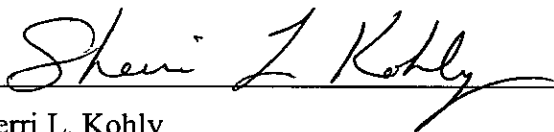
Office of the Public Counsel
Governor Office Building, Suite 650
200 Madison Street
P. O. Box 7800
Jefferson City, MO 65102

Corporate Secretary
Globcom Incorporated
2100 Sanders Road, Suite 150
Northbrook, IL 60062
(via certified mail)

VERIFICATION

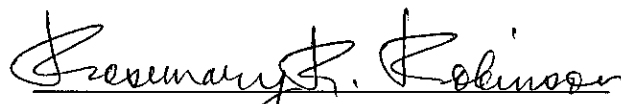
STATE OF MISSOURI)
)
COUNTY OF COLE)

Comes now Sherri L. Kohly, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that the affiant has read the accompanying pleading, and that the facts therein are true and correct to the best of her knowledge.



Sherri L. Kohly
Affiant

Subscribed and affirmed before me this 24th day of October 2006. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on 9-23-2008.



NOTARY PUBLIC

