

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

In the Matter of the Cancellation of the)
Certificate of Service Authority and)
Accompanying Tariff of Local Line)
America, Inc.)

Case No. CD-2005-_____

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

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission open a case and cancel the certificate of service authority it granted to Local Line America, Inc. to provide basic local exchange telecommunications services, as well as the company's tariff. In support of its Motion, Staff respectfully states as follows:

1. The Commission granted Local Line America, Inc. a certificate of service authority to provide basic local telecommunications services in the state of Missouri, limited to exchanges served by certain large incumbent local exchange telecommunications companies, in Case No. TA-97-251 in September 1997. The Commission granted Local Line America, Inc. additional authority in November 2001 in Case No. TA-2002-139 to serve additional exchanges. The company's current tariff, P.S.C. Mo. Tariff No. 1, was approved in the latter case.

2. Local Line America, Inc. has provided the following contact information to the Commission:

Local Line America, Inc.
1095 Home Ave., Suite B
P. O. Box 4551
Akron, OH 44310

The company also has provided a telephone number but that number is now out of service and no further information is available.

3. Local Line America, Inc. is an Ohio corporation and is reflected by the Missouri Secretary of State's office as being in good standing because it is current on its filings. However, the company last filed an Annual Registration Report on April 2, 2004.

4. Local Line America, Inc.'s Missouri registered agent is listed by the Missouri Secretary of State as:

National Registered Agents
Registered Agent for Local Line America, Inc.
300 B East High Street
Jefferson City, MO 65101

5. According to a communication from the "Office Manager" of Local Line America, Inc. received by Commission Staff on March 31, 2005, the company has ceased operations in Missouri. See Attachment A. The telephone number provided in the communication is now out of service and additional inquiries have failed to discover an operational number.

6. In keeping with its statement that it has ceased operations in Missouri, Local Line America, Inc. has not submitted its Calendar Year 2004 Annual Report to the Commission. The company owes no assessments.

7. Staff is not aware that Local Line America, Inc. is still providing telecommunications services to any Missouri customers. The Commission has approved an interconnection agreement between Local Line America, Inc. and Southwestern Bell Telephone, L.P., d/b/a SBC Missouri. A representative from SBC Missouri has indicated to the undersigned counsel that customers are no longer receiving service under the terms of those agreements. The Commission has also approved an interconnection agreement between Local Line America, Inc. and Sprint Missouri, Inc. A Sprint representative has confirmed that Local Line America, Inc. only has two remaining customers receiving service under the terms of the agreement, and that

those customers will be transferred under the Commission's rule at 4 CSR 240-31.120 ("Snap-Back Requirements for Basic Local Telecommunications Companies"). This process will be complete by no later than July 6, 2005. No customers have contacted the Commission to make complaints, either formal or informal, about Local Line America, Inc. since the commencement of the Commission's Electronic Filing and Information System.

8. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2004), 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.

9. 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).

10. This pleading will be served via certified mail upon the address provided most recently by Local Line America, Inc., to the Commission (which is identical with that provided to the Missouri Secretary of State), as well as upon its Missouri registered agent.

11. Thus, the Commission has the authority to cancel the certificate of service authority it granted to Local Line America, Inc. to provide basic local exchange telecommunications services in Case No. TA-97-251, as well as the company's tariff, P.S.C. Mo. No. 1. Such an action is supported because as of July 6, 2005, the company has no Missouri customers, nor does it intend to provide service in the future in Missouri.

12. Staff recommends that the Commission cancel the company's certificate of service authority and tariff on or after July 6, 2005.

WHEREFORE, the Staff requests that, on or after July 6, 2005, the Commission grant Staff's Motion and cancel the certificate of service authority it granted to Local Line America, Inc. to provide basic local exchange telecommunications services in Case No. TA-97-251, as well as the company's tariff, P.S.C. Mo. Tariff No. 1.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ David A. Meyer

David A. Meyer
Senior Counsel
Missouri Bar No. 46620

Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-8706 (Telephone)
(573) 751-9285 (Fax)
david.meyer@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to the following this 14th day of June 2005.

/s/ David A. Meyer

Office of the Public Counsel
P. O. Box 7800
Jefferson City, MO 65102

National Registered Agents
Registered Agent for Local Line America, Inc.
300 B East High Street
Jefferson City, MO 65101

Local Line America, Inc.
1095 Home Ave., Suite B
P. O. Box 4551
Akron, OH 44310
(via certified mail)

Meyer, David

Subject: FW: Submission of Quarterly Quality of Service

From: Tesa Lamb [mailto:tlamb@ezphoneusa.com]
Sent: Thursday, March 31, 2005 8:23 AM
To: larry.henderson@psc.mo.gov; mick.johnson@psc.mo.gov
Subject: Submission of Quarterly Quality of Service Reports

Mr. Henderson; Mr. Johnson;

We recently received a letter from you stating that you have not receive our Quarterly Quality of Service Report. This email is to inform you that we are not longer doing business in the state of Missouri.

If you have any questions, please feel free to contact me at 330-572-3861.

Sincerely,

Tesa Lamb
Office Manager
Local Line America Inc.
330-572-3861

Attachment A

5/23/2005