

**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 UpLync )  
Telecommunications, Inc. )

Case No. LD-2006-

**MOTION TO OPEN CASE AND CANCEL CERTIFICATES OF SERVICE  
AUTHORITY AND ACCOMPANYING TARIFFS**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission open a case and cancel UpLync Telecommunications, Inc.'s certificates of service authority to provide intrastate, interexchange, basic local and nonswitched local telecommunications services in portions of the state of Missouri, as well as its tariffs. In support of its Motion, Staff respectfully states as follows:

1. On December 11, 2003, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide intrastate, interexchange, basic local and nonswitched local telecommunications services, to UpLync Telecommunications, Inc., in Case No. LA-2004-0136. The Commission also approved UpLync Telecommunications, Inc.'s tariffs, Mo PSC No. 1 (basic local and nonswitched local telecommunications services) and P.S.C. MO. No. 2 (intrastate access services).

2. UpLync Telecommunications, Inc. has indicated in its confidential Statement of Revenue it submitted to the Commission that it is no longer in business. In that document, the company's president indicated that the company was reporting no Missouri jurisdictional revenue and that the company no longer wished to maintain its operating certificate in Missouri. The notarized statement of revenue containing this statement was submitted to the Commission

by the president of the company and is available on a highly confidential basis from the Commission's Electronic Filing and Information System.

3. In its most recent Annual Report submitted to the Commission, the company reported no access lines.

4. UpLync Telecommunications, Inc. has no past due annual reports or assessments to the Commission. No formal complaints have been filed against the company since the commencement of the Electronic Filing and Information System.

5. UpLync Telecommunications, Inc. is a Missouri corporation reflected as being in good standing by the Missouri Secretary of State's website.

6. Because UpLync Telecommunications, Inc. has requested cancellation of its certificate and because it is not providing telecommunications service in Missouri, the Staff recommends that the Commission issue an order canceling UpLync Telecommunications, Inc.'s certificates and tariffs.

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. This pleading is being served on the address provided by the company to the Commission via certified mail, as well as upon its Missouri registered agent.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of UpLync Telecommunications, Inc. to provide intrastate, interexchange, basic local and nonswitched local telecommunications services in portions of the state of Missouri, as well as its tariffs, Mo PSC No. 1 (basic local and nonswitched local telecommunications services) and P.S.C. MO. No. 2 (intrastate access services).

Respectfully submitted,

/s/ **David Meyer**

David Meyer  
Senior Counsel  
Missouri Bar No. 46620

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Missouri Public Service Commission  
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## Certificate of Service

I hereby certify that copies of the foregoing have been mailed return receipt requested or electronically to all counsel of record as shown on the attached service list this 14th day of April, 2006.

/s/ David A. Meyer

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

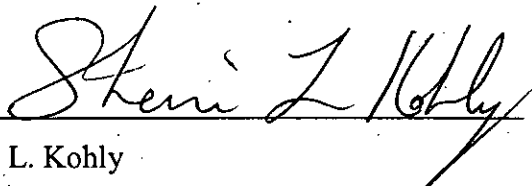
Mike Bristol  
Registered Agent for UpLync Telecommunications, Inc.  
404 East Washington Ave.  
P. O. Box 100  
Ava, MO 65608

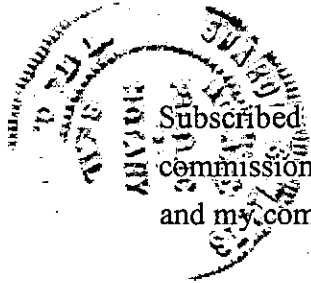
UpLync Telecommunications, Inc.  
P. O. Box 488  
Ava, MO 65608  
***(Via Certified Mail)***

**VERIFICATION**

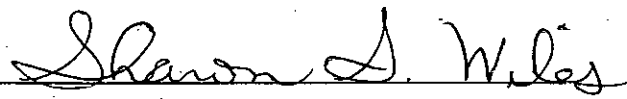
STATE OF MISSOURI    )  
                                  )  
COUNTY OF COLE        )

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 13<sup>th</sup> day of April 2006. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on September 11, 2006.

  
\_\_\_\_\_  
NOTARY PUBLIC

