

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 18th day
of December, 2013.

In the Matter of the Cancellation of the Certificate of)	
Service Authority and Associated Tariff of Call One, Inc.)	
to Provide Basic Local Exchange, Non-Switched Local)	<u>File No. LD-2014-0110</u>
Exchange and Interexchange Telecommunications)	
Services in the State of Missouri)	

**ORDER APPROVING UNANIMOUS
STIPULATION AND AGREEMENT**

Issue Date: December 18, 2013

Effective Date: January 17, 2014

Background

Call One, Inc. is a telephone company providing basic local exchange, non-switched local exchange and interexchange telecommunications service in the State of Missouri. On October 24, 2013, the Staff of the Commission filed a motion to cancel the company's Certificate of Service Authority and tariff. In support of its motion, Staff informed the Commission that the company failed to submit its 2012 Annual Report by the April 15, 2013 deadline.

On October 29, the Commission issued notice of Staff's motion to the company and directed the company to respond to the motion no later than November 28. Call One filed its response on November 26 and stated that its overdue annual report was filed on November 12 and that it and Staff were working on an agreement that would be filed in early December.

On December 5, Staff and the company filed a Stipulation and Settlement Agreement. The company agrees to pay \$2,500 to the Missouri Public School Fund and Staff agrees not to assert that the company violated the Commission's rules by filing the delinquent 2012 Annual Report.

Discussion

4 CSR 240-2.115(1)(A) allows parties to propose a resolution of a contested case by filing a stipulation and agreement. The Commission may then resolve the case based on that agreement.¹

The Commission also notes that although the Office of the Public Counsel is not a signatory to the agreement it is a party to this action. Because Public Counsel is a party, but not a signatory, the agreement is not unanimous. However, if a party does not object to an agreement within 7 days of its filing, the Commission may treat the agreement as unanimous. More than 7 days have expired and no party has filed an objection to the agreement. The Commission will therefore treat the agreement as unanimous.

Because this file is being disposed of by stipulation and agreement, the Commission need not make findings of fact or conclusions of law.² However, the Commission independently concludes that the agreement is consistent with the public interest and is reasonable. Having so concluded, the Commission will approve the agreement, which is attached to this order.

THE COMMISSION ORDERS THAT:

1. The unanimous Stipulation and Settlement Agreement entered into between the Staff of the Commission and Call One, Inc. is approved.

¹ 4 CSR 240-2.115(B).

² Section 536.090 RSMo.

2. The parties to the agreement shall abide by the terms set out therein.
3. This order shall become effective on January 17, 2014.



BY THE COMMISSION

Morris L. Woodruff

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
and Hall, CC., concur.

Jones, Senior Regulatory Law Judge