

In the Matter of the Cancellation of the)
 Certificate of Service Authority of) Case No. XD-2009-03____
 The Dodson Group, Inc.)

COMES NOW the Staff of the Missouri Public Service Commission (Staff), through the undersigned counsel, and moves for the Missouri Public Service Commission (Commission) to cancel The Dodson Group, Inc.'s (Dodson or Company) certificate of service authority to provide interexchange telecommunications services in the State of Missouri and the associated tariff. For this Motion, Staff respectfully states the following:

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5. Dodson owes no past assessments to the Commission.
6. Section 392.390 (1) RSMo (2000) requires a telecommunications company to “[f]ile annual reports with the commission as required by the commission and in a form and at times prescribed by the commission.” Dodson has submitted all required annual reports.
7. As Dodson has requested cancellation of its certificate and is not providing telecommunications services in Missouri to the best of Staff’s knowledge, information, and belief, Staff recommends the Commission issue an order cancelling the Company’s certificate and associated tariff.
8. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo (Supp. 2008), which provides “[a]ny 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. W.D. 1989).

WHEREFORE, the Staff respectfully recommends the Missouri Public Service Commission issue an order cancelling the Dodson Group, Inc.’s certificate of service authority to provide interexchange telecommunications services in the State of Missouri and the associated tariff.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez
Legal Counsel
Missouri Bar No. 59814

Attorney for the Staff of the
Missouri Public Service Commission
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on Ken Clements, The Dodson Group, Inc., 9100 Keystone Crossing, Suite 750, Indianapolis, IN 46240, kclements@saveitnow.com ; National Registered Agents, Inc., 300-B East High Street, Jefferson City, MO 65101; and The Office of Public Counsel, 200 Madison Street, P.O. Box 2230, Jefferson City, MO 65102, opcservice@ded.mo.gov this 14 day of April, 2009, either by hand delivery, electronic mail or First Class United States Mail, postage prepaid.

/s/ Jennifer Hernandez

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

In the Matter of the Application of The Dodson)	
Group, Incorporated, for a Certificate of)	
Service Authority to Provide Competitive)	<u>Case No. XA-2005-0009</u>
Intrastate Interexchange Telecommunications)	Tariff No. YX-2005-0017
Services within the State of Missouri.)	

**ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY
AND ORDER APPROVING TARIFF**

This order grants The Dodson Group, Incorporated a certificate of service authority to provide interexchange telecommunications services and approves the company's proposed tariff.

The Dodson Group, Incorporated applied to the Missouri Public Service Commission on July 8, 2004, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 2000.¹ Applicant asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by Sections 392.316 and 392.420. Applicant is an Indiana corporation with its principal office located at 9100 Keystone Crossing, Suite 750, Indianapolis, Indiana 46240.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on July 13, 2004, directing that parties wishing to intervene do so by July 28, 2004. No requests for intervention were filed.

¹ All statutory references are to the Revised Statutes of Missouri (RSMo), revision of 2000, unless otherwise indicated.

Applicant filed a proposed tariff in conjunction with its application on July 8, 2004. The tariff's effective date is August 22, 2004. Applicant describes the rates, rules, and regulations it intends to use, identifies Applicant as a competitive company, and lists the waivers requester. Applicant intends to provide resold, switched and dedicated 1+, toll-free, post-paid calling card, data and frame relay interexchange telecommunications services throughout the State of Missouri, primarily to business customers.

In its Memorandum filed on August 11, 2004, the Staff of the Commission recommended that the Commission grant Applicant a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the proposed tariff to become effective on August 22, 2004.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Applicant should be granted a certificate of service authority. The Commission finds that the services Applicant proposes to offer are competitive and Applicant should be classified as a competitive company. The Commission finds that waiving the statutes and Commission rules set out in the ordered paragraph below is reasonable and not detrimental to the public interest.

The Commission finds that Applicant's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission finds that the proposed tariff filed on July 8, 2004, shall be approved to become effective on August 22, 2004.

The Commission reminds the company that failure to comply with its regulatory obligations may result in the assessment of penalties against it. These regulatory obligations include, but are not limited to, the following:

A) The obligation to file an annual report, as established by Section 392.210, RSMo 2000. Failure to comply with this obligation will make the utility liable to a penalty of \$100 per day for each day that the violation continues. 4 CSR 240-3.540 requires telecommunications utility to file their annual report on or before April 15 of each year.

B) The obligation to pay an annual assessment fee established by the Commission, as required by Section 386.370, RSMo 2000.

C) The obligation to comply with all relevant law and regulations, as well as orders issued by the Commission. If the company fails to comply, it is subject to penalties for noncompliance ranging from \$100 to \$2,000 per day of noncompliance, pursuant to Section 386.570.

D) The obligation to keep the Commission informed of the company's current address and telephone number.

Furthermore, the company is reminded that, if it is a corporation, its officers may not represent the company before the Commission. Instead, the corporation must be represented by an attorney licensed to practice law in Missouri.

Finally, the company is reminded that Section 392.410.5, RSMo Supp 2003, renders the company's certificate of service authority null and void one year from the date of this order unless it has exercised its authority under that certificate.

IT IS THEREFORE ORDERED:

1. That The Dodson Group, Incorporated, is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. That the certification granted herein is conditioned upon the company's compliance with the regulatory obligations it this order.

3. That the Dodson Group, Incorporated is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

- 392.210.2 - uniform system of accounts
- 392.240.1 - rates-rental-services & physical connections
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation of accounts
- 392.290 - issuance of securities
- 392.300.2 - acquisition of stock
- 392.310 - stock and debt issuance
- 392.320 - stock dividend payment
- 392.330 - issuance of securities, debts and notes
- 392.340 - reorganization(s)

Commission Rules

- 4 CSR 240-3.545(2)(C) - posting tariffs
- 4 CSR 240-10.020 - depreciation fund income
- 4 CSR 240-30.040 - uniform system of accounts
- 4 CSR 240-33.30 - minimum charges

4. That the tariff filed by The Dodson Group, Incorporated on July 8, 2004, under tariff number YX-2005-0017, is approved to become effective on August 22, 2004. The tariff approved is:

Missouri P.S.C. Tariff No. 1
Original Sheet No. 1 through Original Sheet No. 33

5. That this order shall become effective on August 22, 2004.
6. That this case may be closed on August 23, 2004.

BY THE COMMISSION

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kennard L. Jones, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 12th day of August, 2004.

ATTACHMENT B



Missouri Public Utilities Commission

4/6/2009

Please be advised the Dodson Group ceased operations in Missouri the 4th quarter of 2008.

- A) The reason for ceasing operations was due to lack of continuing customers
- B) The last date of service was 12/10/2008.
- C) The last service was in the St Louis area.
- D) IXC services were ceased.
- E) Please cancel our tariff
- F) Cessation was action taken by customers.
- G) Customers had proactively chosen new provider.

Sincerely,

Ken Clements
Exec. Dir. Of Telecommunications
Dodson Group / SaveItNow!
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