

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

In the Matter of the Cancellation of the)
Certificate of Service Authority and) Case No. XD-2007-
Accompanying Tariff of Infone LLC)

**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 has granted to Infone LLC to provide intrastate inter-exchange telecommunications services in Missouri, as well as its tariff. In support of its Motion, Staff respectfully states as follows:

1. On July 5, 2002, the Missouri Public Service Commission (Commission) issued an order granting a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri, to North By NortheastCom LLC in Case No. XA-2002-1081. Subsequently, in Case No. XN-2003-0519, the Commission approved North By NortheastCom LLC's change of name to Infone LLC and approved the company's current tariff, P.S.C. Mo. No. 3, in the same case.
2. Infone LLC, through a letter from its agent and consultant, has asked the Commission to cancel its certificate of service authority because it ceased all regulated operations in Missouri in December 2005. See Appendix A.
3. Infone LLC owes no annual reports or assessments. No complaints have been submitted with respect to the company since the commencement of the Electronic Filing and Information System.

4. Because Infone LLC has requested cancellation of its certificate, and because it is not providing telecommunications service, the Staff recommends that the Commission issue an order canceling Infone LLC's certificate of service authority, as well as its tariff.

5. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2006), 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).

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

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Infone LLC to provide intrastate interexchange telecommunications services; and also its tariff, P.S.C. Mo. No. 3.

Respectfully submitted,

/s/ David Meyer

David 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)
e-mail: david.meyer@psc.mo.gov

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 24th day of January, 2007.

/s/ David A. Meyer

Office of the Public Counsel
P.O. Box 2230
Jefferson City, MO 65102

Infone LLC
c/o Robin Norton
Technologies Management, Inc.
210 N Park Ave.
Winter Park FL 32789
(Via Certified Mail)

Infone LLC
11200 Murray Scholls Place
Beaverton, OR 97007

National Registered Agents, Inc.
Registered Agent for Infone LLC
300-B East High Street
Jefferson City, MO 65101



January 22, 2007
Via Overnight Delivery

210 N. Park Ave.
Winter Park, FL
32789

P.O. Drawer 200
Winter Park, FL
32790-0200

Tel: 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

Mr. David Meyer, Senior Counsel
Missouri Public Service Commission
200 Madison Street, Suite 100
Jefferson City, MO 65101

RE: **Infone LLC**
Cancellation of Certificate of Service Authority to Provide Resold Interexchange
Telecommunications Services and Withdrawal of Missouri Tariff No. 3

Dear Mr. Meyer:

Enclosed for filing please find the original and two (2) copies of this letter requesting the cancellation of Infone LLC's certificate and withdrawal of Missouri Tariff No. 3. Infone's certificate of service authority to provide interexchange telecommunications services was issued by the Commission July 5, 2002 in Case No. XA-2002-1081, under the Company's former name, North By NortheastCom LCC.

The Company ceased all regulated operations in Missouri in December 2005. Infone offered directory assistance, call completion, and enhanced directory services on a casual calling basis only, and had no presubscribed customers. Therefore, no customer notice was required. The long distance service of Infone's casual calling customers was not affected.

Expedited handling of this request would be greatly appreciated.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose. Any questions you may have regarding this filing may be directed to my attention at (407) 740-3004 or to morton@tminc.com. Thank you for your assistance.

Sincerely,

Robin Norton
Consultant to Infone LLC

RN/bc

Enclosure

cc: Laurie Willman, Infone
file: Infone - MO - IXC
tns: MO0701X

