

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

In the Matter of the Cancellation of the       )  
Certificate of Service Authority and       )  
Tariffs of Phonetel Technologies, Inc.       )

Case No. PD-2008-

**MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission cancel Phonetel Technologies, Inc.'s (Phonetel) certificate of service authority to provide private pay telephone services in Missouri. In support of its Motion, Staff respectfully states as follows:

1. On April 25, 1990, the Missouri Public Service Commission (Commission) issued an order granting a certificate of service authority to provide private pay telephone services, to Phonetel Technologies, in Case No. TA-90-222.

2. On September 30, 2007, the Chief Financial Officer of Phonetel sent a letter to the Commission, requesting that the Commission eliminate the registration of Phonetel. (The Commission received this letter on March 7, 2008, a true and accurate copy of the letter is attached hereto as Attachment A).

3. The letter indicated that Phonetel no longer operates private coin phones in Missouri.

4. The services to be discontinued are private pay telephone services.

5. Phonetel has past due assessments due to the Commission for the years 1999 and 2000. These past due assessments were not pursued because of the bankruptcy of Phonetel.

6. Phonetel is reflected as being in good standing by the Missouri Secretary of State's website.

7. Because Phonetel has requested to be eliminated from registration, effectively a request to cancel its certificate, and because it is not providing private pay telephone service in Missouri, the Staff recommends that the Commission issue an order canceling the company's certificate.

8. 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).

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Phonetel Technologies, Inc. to provide private pay telephone services in Missouri.

Respectfully submitted,

/s/ **Blane Baker**

Blane Baker

Legal Counsel

Missouri Bar No. 58454

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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 10<sup>th</sup> day of March 2008.

/s/ Blane Baker

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

CT Corporation System  
Registered Agent for Telaleasing Enterprises, Inc.  
120 South Central Avenue  
Clayton, MO 63105

Phonetel Technologies, Inc.  
200 Public Square, Suite 700  
Cleveland, Ohio 44114  
*(Via Certified Mail)*

RECEIVED  
March 7, 2008  
Data Center  
Missouri Public  
Service Commission

RECEIVED

MAR 07 2008

September 30, 2007

Re: Davel Communications, Inc.  
PhoneTel Technologies, Inc.  
Telaleasing Enterprises, Inc.  
Peoples Telephone Company, Inc.

BUDGET & FISCAL SVCS  
MO. P.S.C.

Dear Taxing Authority:

Davel Communications, Inc. and/or its subsidiaries listed above (the "Company") previously operated payphones in various states throughout the U.S. On or before September 30, 2007, the Company sold its payphones and no longer operates in your taxing jurisdiction. Please eliminate the registration and/or remove the above company(s) from your tax roles and treat this filing as a "FINAL RETURN".

Thank you,

*Donald Paliwoda*

Donald Paliwoda  
Chief Financial Officer

Attachment A