

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

In the Matter of the Cancellation of the	)	
Certificate of Service Authority of	)	Case No. TD-2009-0
Greg Elson	)	

**MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), through Counsel, and moves for the Missouri Public Service Commission (Commission) to cancel Greg Elson's (Mr. Elson) certificate of service authority to provide private pay telephone service in Missouri, via customer-owned pay telephone (COCT) equipment. For its Motion, Staff respectfully states the following:

1. On April 19, 1999, the Commission issued its Order in Case Number TA-99-407, granting a certificate of service authority to Mr. Elson to provide private pay telephone service in Missouri, via COCT equipment. See Attachment A.
2. On January 22, 2008, the Commission's Budget and Fiscal Services Department received a letter from Mr. Elson stating "[p]lease update your records to show that I am no longer the Owner of Robo Wash Laundry and all services connected with the business. The sale of the business was during the month of September, 2006." See Attachment B.
3. Mr. Elson reported zero revenue on his statement of revenue for years 2005 and 2006.
4. Mr. Elson owes no past assessments to the Commission.
5. Pursuant to 4 CSR 240-3.505(1)(B), COCT providers are exempt from the Section 392.390.1 RSMo (2000) requirement to file annual reports.
6. On July 15, 2008, Counsel for Staff contacted Mr. Elson, who stated he sold his laundry business in September of 2006, all payphone equipment was included in the sale, and he no longer provides any regulated intrastate services to customers in Missouri.

7. Because Mr. Elson has requested cancellation of his certificate and is not providing services in Missouri, Staff recommends the Commission issue an order canceling his certificate.
8. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo (Supp. 2007), 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 (1989).

**WHEREFORE,** the Staff respectfully recommends the Commission cancel the certificate of service authority of Greg Elson, to provide private pay telephone service in Missouri, via customer-owned pay telephone equipment.

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

**Attachment A**

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In the Matter of the Application of )  
Greg Elson for Certificate of Service )  
Authority to Provide Private Pay Telephone ) **Case No. TA-99-407**  
Service within the State of Missouri. )

**ORDER GRANTING CERTIFICATE OF SERVICE AUTHORITY TO  
PROVIDE PRIVATE PAY PHONE SERVICES**

On March 24, 1999, Greg Elson (Applicant) filed an application with the Missouri Public Service Commission pursuant to Section 392.440, RSMo 1994 for a certificate of service authority to provide private pay telephone service in Missouri, via customer-owned pay telephone (COCT) equipment. Applicant is an individual doing business under his own name with his principal place of business located at 333 E. Clayton, Brookfield, Missouri 64628.

The Commission issued an Order and Notice on March 25 that set an intervention deadline of April 9. No applications to intervene were filed. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989). Since no one has asked permission to intervene or requested a hearing, the Commission may grant the relief requested based upon the verified application.

The Commission finds that competition in the private pay telephone service market is in the public interest and that Applicant should be granted a certificate of service authority. The provision of private pay telephone service is classified as competitive and subject to minimum regulation pursuant to Section 392.520. That section specifically exempts COCT providers from the tariff filing requirements of Sections 392.220, RSMo Supp. 1998, 392.230, 392.370.4, 392.370.5, and 392.500. Applicant shall notify the

Commission if he ceases to provide private pay telephone services in the state of Missouri, or if the address or phone number of his principal place of business changes. The Commission finds that Applicant's service shall be provided in accordance with the following requirements:

A. The equipment shall provide users access to the following without charge and without the use of a coin: (i) dial tone; (ii) an operator; and (iii) local 911 or E-911 emergency service, or, where unavailable, prominently displayed instructions on how to reach local emergency service;

B. The equipment shall be mounted in accordance with all applicable federal, state, and local laws for the disabled, and shall provide access to telecommunications relay service calls for the hearing disabled at no charge to the caller;

C. The equipment shall allow completion of local and long distance calls;

D. The equipment shall permit access to directory assistance;

E. There shall be displayed in close proximity to the equipment, in 12 Point Times Bold print, the name, address, and telephone number of the COCT provider, the procedures for reporting service difficulties, the method of obtaining customer refunds, and the method of obtaining long distance access. If applicable, the notice shall state that only one-way calling is permitted. If an alternative operator services (AOS) provider is employed, the COCT provider shall display such notice as is required by the Commission; and

F. The equipment shall not block access to any local or interexchange telecommunications carrier.

#### **IT IS THEREFORE ORDERED:**

1. That Greg Elson is granted a certificate of service authority to provide private pay telephone service in the state of Missouri via customer-owned pay telephone equipment, subject to the requirements of certification set out in this order.

2. That this order shall become effective on April 29, 1999.
3. That this case may be closed on April 30, 1999.

**BY THE COMMISSION**

**Dale Hardy Roberts**

**Secretary/Chief Regulatory Law Judge**

(S E A L)

Morris L. Woodruff, Regulatory Law Judge,

by delegation of authority pursuant to

4 CSR 240-2.120 (November 30, 1995)

and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,

on this 19th day of April, 1999.

RECEIVED  
January 23, 2008  
Data Center  
Missouri Public  
Service Commission

Attachment B

RECEIVED

JAN 22 2008

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

Greg Elson  
24675 Ingel Road  
Linneus, MO 64653

January 18, 2008

Missouri Public Service Commission  
Budget & Fiscal Services Dept  
PO Box 360  
Jefferson City, MO 65102

Re: Utility Type-Telephone-Payphone; FY-2009 Mo. PSC Assessment

Good day,

Please update your records to show that I am no longer the Owner of Robo Wash Laundry and all services connected with the business. The sale of the business was during the month of September, 2006. If you need more information, please do not hesitate to contact me.

Thank you,



Greg Elson

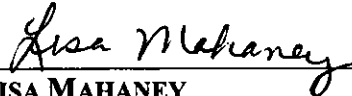
**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the matter of the Cancellation of the )  
Certificate of Authority of Greg Ellson ) Case No.

**AFFIDAVIT OF LISA MAHANEY**

STATE OF MISSOURI )  
 ) ss:  
COUNTY OF COLE )

Lisa Mahaney, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has reviewed the accompanying pleading, and that the facts therein are true and correct to the best of his/ knowledge and belief.

  
\_\_\_\_\_  
LISA MAHANEY

Subscribed and affirmed before me this 4th day of September 2008.



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

  
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NOTARY PUBLIC