

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

In the Matter of the Cancellation of the Certificate )  
of Service Authority of Wesley Robinson to )  
Provide Private Pay Telephone Services Within the )  
State of Missouri )

**File No. PD-2012-\_\_\_\_\_**

**MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and moves for the Missouri Public Service Commission (Commission) to cancel the certificate of service authority of Wesley Robinson. For this Motion, the Staff respectfully states as follows:

1. On June 29, 1994, the Commission in its *Order Granting Certificate (Order)* granted Wesley Robinson a certificate of service authority to provide private pay telephone service in the State of Missouri via customer owned coin operated telephone equipment in Case No. TA-94-326.

2. The Commission's *Order* stated in part that Wesley Robinson should remain subject to Section 386.370, RSMo, which provides for the assessment of public utilities. Section 386.370, RSMo (Supp. 2000) provides that "...each public utility...shall file with the commission...on or before March thirty-first of each year, a statement under oath showing its gross intrastate operating revenues for the preceding calendar year...."

3. Wesley Robinson has failed to file a statement of revenue for calendar years 2007 through 2011.

4. Because Wesley Robinson has failed to abide by the Commission's statutes and its *Order*, the Staff recommends that the Commission cancel the certificate of service authority.

5. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5, RSMo (Supp. 2010), 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.”

6. 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 that the Commission cancel the certificate of service authority of Wesley Robinson to provide private pay telephone service in the State of Missouri via customer owned coin operated telephone equipment.

Respectfully submitted,

**/s/Jennifer Hernandez**

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### **CERTIFICATE OF SERVICE**

I hereby certify that I have provided a true and correct copy of the above pleading by First Class United States Postal Mail postage prepaid to: Wesley Robinson, 4562 Dr. Martin L. King Jr. Drive, St. Louis, MO 63113; and electronic mail to the Office of the Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov) this 28<sup>th</sup> day of December 2011.