

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

In the Matter of the Cancellation of the Certificate of )  
Service Authority of QX Telecom, LLC, to Provide )  
Facilities-Based and Resold Interexchange ) **File No. XD-2013-\_\_\_\_\_**  
Telecommunications Services within the )  
State of Missouri )

**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 and associated tariff of QX Telecom, LLC, ("QX Telecom" or "Company") and respectfully states as follows:

1. On January 1, 2002, the Commission granted QX Telecom a certificate of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services, restricted to providing dedicated private line services, in Missouri in Case No. TA-2002-234.

2. On July 10, 2012, the Missouri Secretary of State's Office revoked the foreign Company's authority to do business in the state of Missouri for failure to maintain a registered agent. Pursuant to Section 351.602.3, RSMo, "[t]he authority of a foreign corporation to transact business in this state ceases on the date shown on the certificate revoking its certificate of authority." (See Attachment A).

3. QX Telecom has failed to file its calendar year 2011 annual report and correct deficiencies within its 2010 annual report. QX Telecom has also failed to pay its fiscal year 2012 and 2013 assessments.

4. Attempts to contact the Company by letter and telephone regarding these matters have been unsuccessful.

5. Due to the Company's continued neglect of the Commission's statutes, rules and orders, and because the Company can no longer lawfully provide telecommunications services in Missouri, the Staff recommends that the Commission cancel the Company's certificate.

6. 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."

7. 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 and associated tariff of QX Telecom, LLC, to provide intrastate interexchange and nonswitched local exchange telecommunications services, restricted to providing dedicated private line services, in Missouri.

Respectfully submitted,

**/s/Jennifer Hernandez**

Jennifer Hernandez  
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Missouri Public Service Commission  
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### **CERTIFICATE OF SERVICE**

I hereby certify that I have provided a true and correct copy of the above pleading this 13<sup>th</sup> day of August 2012 by: First Class United States Postal Mail, postage prepaid, to QX Telecom, LLC, 230 5<sup>th</sup> Avenue, Suite 800, New York, NY 10001; and by electronic mail to the Office of the Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov).

**/s/Jennifer Hernandez**

**ADMINISTRATIVE DISSOLUTION  
OR CANCELLATION FOR A  
LIMITED LIABILITY COMPANY**

FL0054564  
QX TELECOM LLC  
Chaim Milstein  
230 Fifth Ave., Ste. 800  
New York, NY 10001

July 10, 2012

*QX TELECOM LLC  
FL0054564*

The above Limited Liability Company has failed to comply with Section 347.030 or 347.153 RSMo, by:

*Failure to maintain a registered agent*

I, ROBIN CARNAHAN, Secretary of State of Missouri, do hereby certify on the 10th day of July, 2012 that the above entity's Certificate of Limited Liability Company is cancelled.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 10th day of July, 2012.

To request the reinstatement forms you may fax your name, mailing address, telephone number, entity name, and entity charter number to (573) 751-5841 or you may call toll free at (866) 223-6535.

For further information, please contact the Corporations Division at (866) 223-6535 toll free.



A handwritten signature in black ink, appearing to read "Rich Lamb".

Rich Lamb  
Executive Deputy Secretary of State