

**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. XD-2009-_____
Jefferson Plaza Investors, Inc., d/b/a)	
Blue Springs Office Suites.)	

MOTION TO DECLARE NULL AND VOID
CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission (Staff), through the undersigned counsel, and moves for the Missouri Public Service Commission (Commission) to cancel Jefferson Plaza Investors, Inc., d/b/a Blue Springs Office Suites' (Blue Springs or Company) certificate of service authority to provide competitive interexchange telecommunications services in the State of Missouri and the associated tariff. For this Motion, Staff respectfully states the following:

1. On June 30, 1999, the Commission issued an Order in Case No. TA-99-452, granting a certificate of service authority to Blue Springs to provide competitive interexchange telecommunications services. The Order also approved Blue Springs' tariff, Tariff No. 9900785. See Attachment A.
2. On March 30, 2009, the Commission received a ceasing operations statement from Blue Springs, requesting the Company's interexchange certificate be cancelled. See Attachment B.
3. Staff has communicated with Blue Springs, and to the best of Staff's knowledge, information, and belief, Blue Springs has failed to exercise the interexchange certificate granted in 1999.

4. Section 392.410.5 RSMo (Supp. 2008) states “[u]nless exercised within a period of one year from the issuance thereof, authority conferred by a certificate of service authority....shall be null and void.”

5. Blue Springs owes no past assessments to the Commission.

6. Section 392.390 (1) RSMo (2000) requires a telecommunications company to “[f]ile annual reports with the commission as required by the commission and in a form and at times prescribed by the commission.” Blue Springs calendar year 2008 annual report has not yet been received, however, the ceasing operation statement filed by the Company states “I assume we will not need to complete the annual reports for 2008.”

7. As it is Staff’s best knowledge, information, and belief that the interexchange certificate was never exercised within the one year time frame of Section 392.410.5, Staff respectfully recommends the Commission issue an order declaring null and void the Company’s certificate and associated tariff.

8. 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 the Missouri Public Service Commission issue an order declaring null and void the Jefferson Plaza Investors, Inc., d/b/a Blue Springs Office Suites’ certificate of service authority to provide interexchange telecommunications services in the State of Missouri and the associated tariff.

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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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on Laureen R. Meyer, Lee's Summit Office Suites & Business Center, 200 NE Missouri Road, Suite 200, Lee's Summit, MO 64086, laurimeyer@lsoffice.net and lsos@lsoffice.net; Jefferson Plaza Investors, Inc., 1300 NW Jefferson Court, Blue Springs, MO 64015, bsos@swbell.net; and The Office of Public Counsel, 200 Madison Street, P.O. Box 2230, Jefferson City, MO 65102, opcservice@ded.mo.gov this 15th day of April, 2009, either by hand delivery, electronic mail or First Class United States Mail, postage prepaid.

/s/ Jennifer Hernandez

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

In the Matter of the Application of)

Jefferson Plaza Investors, Inc. d/b/a) Case No. TA-99-452

Blue Springs Office Suites.) Tariff No. 9900785

)

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY

AND ORDER APPROVING TARIFF

Jefferson Plaza Investors, Inc., d/b/a Blue Springs Office Suites (Blue Springs), applied to the Public Service Commission on April 9, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994. Blue Springs asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by Sections 392.361 and 392.420. Blue Springs is a Missouri corporation, with its principal office located at 1300 NW Jefferson Court, Blue Springs, Missouri 64105.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on April 27, 1999, directing parties wishing to intervene to file their requests by May 12, 1999. 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 on the verified application.

Blue Springs filed a proposed tariff in conjunction with its application and filed substitute sheets on May 18, 1999, and on June 11, 16, and 18, 1999. The tariff's effective date is July 12, 1999. Blue Springs' tariff describes the rates, rules, and regulations it intends to use, identifies Blue Springs as a

Attachment A

competitive company, and lists the waivers requested. Blue Springs intends to provide interexchange telecommunications services including 1+, directory assistance and operator services to its tenants in a 24-office executive suites office building located in Blue Springs, Missouri.

In its Memorandum filed on June 28, 1999, the Staff of the Commission (Staff) stated that Blue Springs' proposed services are similar to existing interexchange telecommunications offerings. Staff recommended that the Commission grant Blue Springs a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the proposed tariff as amended to become effective on July 12, 1999.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Blue Springs should be granted a certificate of service authority. The Commission finds that the services Blue Springs proposes to offer are competitive and Blue Springs should be classified as a competitive company. The Commission finds that waiving the statutes and Commission rules set out in the ordered paragraph below is reasonable and not detrimental to the public interest.

The Commission finds that Blue Springs' proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange carriers. The Commission finds that the proposed tariff filed on April 9, 1999 shall be approved as amended to become effective on July 12, 1999.

IT IS THEREFORE ORDERED:

1. That Jefferson Plaza Investors, Inc., d/b/a Blue Springs Office Suites, is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.
2. That Jefferson Plaza Investors, Inc., d/b/a Blue Springs Office Suites, is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

392.240(1) - ratemaking

392.270 - valuation of property (ratemaking)
392.280 - depreciation accounts
392.290 - issuance of securities
392.310 - stock and debt issuance
392.320 - stock dividend payment
392.340 - reorganization(s)
392.330, RSMo Supp. 1998 - issuance of securities,
debts and notes

Commission Rules

- 4 CSR 240-10.020 - depreciation fund income
 - 4 CSR 240-30.010(2)(C) - rate schedules
 - 4 CSR 240-30.040 - Uniform System of Accounts
 - 4 CSR 240-32.030(1)(B) - exchange boundary maps
 - 4 CSR 240-32.030(1)(C) - record-keeping
 - 4 CSR 240-32.030(2) - in-state record-keeping
 - 4 CSR 240-32.050(3) - local office record-keeping
 - 4 CSR 240-32.050(4) - telephone directories
 - 4 CSR 240-32.050(5) - call intercept
 - 4 CSR 240-32.050(6) - telephone number changes
 - 4 CSR 240-32.070(4) - public coin telephone
 - 4 CSR 240-33.030 - minimum charges rule
 - 4 CSR 240-33.040(5) - financing fees
3. That the tariff filed by Jefferson Plaza Investors, Inc., d/b/a Blue Springs Office Suites, on April 9, 1999, and assigned Tariff File No. 9900785, is approved as amended to become effective on July 12, 1999. The tariff approved is:

Missouri Tariff No. 1

Original Page 1 through Original Page 9

4. That this order shall become effective on July 12, 1999.

5. That this case shall be closed on July 13, 1999.

BY THE COMMISSION

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

(S E A L)

Keith Thornburg, Regulatory Law
Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1)
(November 30, 1995) and
Section 386.240, RSMo 1994.
Dated at Jefferson City, Missouri,
on this 30th day of June, 1999.



LEE'S SUMMIT

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& BUSINESS CENTER

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RECEIVED³

MAR 30 2009

*Records
Public Service Commission*

March 27, 2009

Missouri Public Service Commission

Secretary of the Commission

P O Box 360

Jefferson City, MO 65102

Re: Blue Springs Office Suites Interexchange Certificate TA 99-452

I own and operate an executive office suites business. We started the business over ten years ago and at that time thought we needed both an IXC and STS certificate.

After a conversation with John VanEschen and Cully Dale of the Commission, I understand that we only need the STS certificate.

Please cancel our IXC certificate. I assume we will not need to complete the annual reports for 2008.

Please contact me if there are any questions.

Sincerely,

Laureen R. Meyer

Managing Partner

Attachment B

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AND BUSINESS CENTER
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