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Chair

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CONNIE MURRAY

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M. DIANNE DRAINER
Vice Chair

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.ecodev.state.mo.us/psc/>

April 6, 2000

BRIAN D. KINKADE
Executive Director

GORDON L. PERSINGER
Director, Research and Public Affairs

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. KOLILIS
Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED²

APR 06 2000

Missouri Public
Service Commission

RE: Case No. TD-2000- 626

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **MOTION TO OPEN DOCKET AND CANCEL CERTIFICATE OF SERVICE AUTHORITY**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

David A. VanDyke
Assistant General Counsel
(573) 751-7485
(573) 751-9285 (Fax)

DAV/lb
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

APR 06 2000

Missouri Public
Service Commission

In the Matter of the Cancellation of the)
Certificate of Service Authority Local)
Fone Service, Inc.)
)

Case No. TD-2000- 626

**MOTION TO OPEN DOCKET AND CANCEL CERTIFICATE OF SERVICE
AUTHORITY**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Motion to Open Docket and Cancel Certificate of Service Authority, respectfully states as follows:

1. On July 8, 1997, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide basic local and local exchange telecommunications service to Local Fone Service, Inc. (Local Fone) in Case No. TA-97-411. According to the Order Granting Certificates, Local Fone's certificate would become effective when the company's tariff became effective. Local Fone does not have an effective tariff in place. The Order Granting Certificates also states that Local Fone is subject to all applicable statutes and Commission rules including the requirement to file an annual report.

2. Local Fone did not file an annual report for 1998. Additionally, Local Fone's 1999 annual report form was returned by the post office as undeliverable. The Staff contacted the Missouri Secretary of State's office and was informed that Local Fone was administratively dissolved by the Missouri Secretary of State on August 31, 1998, due to its failure to file an annual report.

3. Local Fone has not filed a formal request to cancel its certificate. However, the Staff believes that Local Fone has violated the terms of its certificate by its failure to file an

annual report. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 1999), which provides:

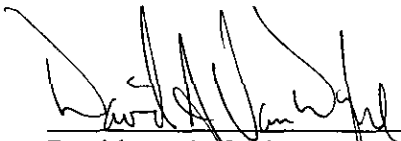
Any certificate of service authority may be altered or modified by the commission after notice and hearing, upon its own motion or upon application of the person or company affected.

However, the Commission need not hold a hearing, if, after proper notice and opportunity to intervene, no part requests such a hearing. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Comm'n, 776 S.W.2d 494, 496 (Mo. App. 1989).

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Local Fone.

Respectfully submitted,

DANA K. JOYCE
General Counsel

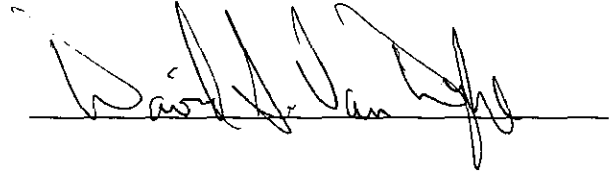


David A. VanDyke
Assistant General Counsel
Missouri Bar No. 46377

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-7485 (Telephone)
(573) 751-9285 (Fax)

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 6th day of April 2000.

A handwritten signature in black ink, appearing to read "David J. Van Lef", is written over a horizontal line.

**Service List for
Case No. TD-2000-____
March 6, 2000**

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

**James B. McKenzie, President
Local Fone Service, Inc.
624 Six Flags Drive, Suite 214
Arlington, TX 76011**

**Mark P. Johnson
Sonnenschein Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, MO 64111**