

Commissioners

SHEILA LUMPE Chair

M. DIANNE DRAINER Vice Chair

CONNIE MURRAY

ROBERT G. SCHEMENAUER

KELVIN L. SIMMONS

Missouri Public Service Commission

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

June 26, 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

RE: Case No. TD-2000-833

Dear Mr. Roberts:

FILED<sup>2</sup>
JUN 2 6 2000

Missouri Public Service Commission

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a STAFF RECOMMENDATION.

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,

Julie A. Kardis

Assistant General Counsel

Juli a. Kardis

(573) 751-8706

(573) 751-9285 (Fax)

JAK:sw Enclosure

cc: Counsel of Record

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

| N      | FILED  | 2  |
|--------|--|----|
| o M    | - UN 9 C   |    |
| 00-833 | ~ ° 2000<br>issouri p <sub>ublic</sub><br>ce Commissic | חי |

| In                                    | the   | Matter  | of    | the   | Application | of   | ) |
|---------------------------------------|-------|---------|-------|-------|-------------|------|---|
| Fac                                   | iliCo | m Inter | natio | onal, | LLC to Ca   | ncel | ) |
| its Certificate of Service Authority. |       |         |       |       |             |      |   |

Case No. TD-2000-833

## STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its staff recommendation respectfully states:

- 1. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Commission issue an order to cancel the certificate of service authority granted to FaciliCom International, LLC on April 27, 1998.
- 2. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410, RSMo 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 party requests such a hearing. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494 (Mo. App. 1989).

WHEREFORE, Staff recommends that the Commission issue an order to cancel the certificate of service authority granted to FaciliCom International, LLC.

Respectfully submitted,

DANA K. JOYCE General Counsel

<u>Quui a. Kardis</u> Julie A. Kardis

Assistant General Counsel Missouri Bar No. 44450

Attorney for the Staff of the Missouri Public Service Commission P. O. Box 360
Jefferson City, MO 65102
(573) 751-8706 (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 26th day of June 2000.

## MEMORANDUM

TO:

Missouri Public Service Commission Official Case File

Case No. TD-2000-833

FaciliCom International, LLC

FROM:

Sherri Murphy 771

Telecommunications Department

Utility Operations Division/Date General Counsel's Office/Date

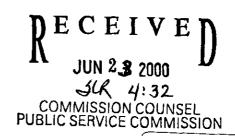
SUBJECT: Staff Recommendation to Cancel a Certificate of Service Authority to Provide Interexchange Telecommunications Services and the Accompanying Tariff

DATE: June 23, 2000

On June 20, 2000, FaciliCom International, LLC (FaciliCom), a competitive telecommunications company, filed an Application to Cancel Certificate of Service Authority. FaciliCom was certificated by this Commission to provide interexchange telecommunications services on April 27, 1998 in Case No. TA-98-323. FaciliCom does not currently serve any interexchange customers in Missouri and has no plans to serve customers in the future.

The Telecommunications Department Staff (Staff) has no objections to FaciliCom's application and recommends that the Commission issue an order to cancel FaciliCom's certificate of service authority and accompanying tariff at its earliest convenience. The Staff is unaware of any other filing which affects or which would be affected by this proposal.

According to the application, FaciliCom has no assessment fees due. Staff contacted the Internal Accounting Department and received confirmation that FaciliCom does not owe any assessment.



Service List for Case No. TD-2000-833 June 26, 2000

Office of the Public Counsel P.O. Box 7800 Jefferson City, MO 65102 James Fischer Fischer & Dority, P.C. 101 West McCarty Street, Suite 215 Jefferson City, MO 65101