BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the)
Certificates of Service Authority of:)
)
Barb Sonnier d/b/a DBS;)
Golden Tel, Inc.;)
Kevin E. Thompson;)
Kevin S. Underwood;) Case No. PD-2006-
Reliable Payphone, Inc.;)
Robert H. Dolliver, IV;)
Tension Envelop Corporation; and,)
Wendy Douglas)

MOTION TO OPEN CASE AND CANCEL CERTIFICATES OF SERVICE AUTHORITY

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

- 1. The above-captioned companies (Company or Companies) have been granted certificates of service authority to provide private pay telephone services by the Missouri Public Service Commission (Commission) pursuant to the Commission's authority under Section 386.250 RSMo 2000. Each of the above-captioned private payphone Companies has marked on its 2004 Statement of Revenue form that it no longer wishes to retain its certificate of service authority. See affidavit of Helen Davis, Accountant II, Budget & Fiscal Services, attached hereto as Appendix A.
- 2. Each of the Companies share the following common facts that support Staff's motion to open this case for the cancellation of the Companies' certificates:
 - a) Each Company is current on its assessments.
 - b) Each Company has no actions pending before the Commission.

- 3. Accordingly, the Companies seek cancellation of the following certificates:
- (a) Barb Sonnier d/b/a DBS granted in Case No. PA-2005-0092 effective November 11, 2004.
- (b) Golden Tel, Inc. granted in Case No. TA-96-106 effective October 31, 1995.
- (c) Kevin E. Thompson granted in Case No. TA-97-233 effective January 14, 1997.
- (d) Kevin S. Underwood granted in Case No. PA-2003-0316 effective April 12, 2003.
- (e) Reliable Payphone, Inc. granted in Case No. TA-94-314 effective May 25, 1994.
- (f) Robert H. Dolliver, IV granted in Case No. TA-97-165 effective December 5, 1996.
- (g) Tension Envelope Corporation granted in Case No. TA-95-53 effective October 18, 1994.
- (h) Wendy Douglas granted in Case No. PA-2003-0049 effective September 2, 2002.
- 4. Pursuant to Section 392.520.1, RSMo 2000, entities providing coin operated telephone services may be exempt from the requirements of Section 392.390(1), RSMo 2000, which requires telecommunications companies to file annual reports. The Commission has exempted coin operated telephone providers from such filing. Therefore, the Staff recommends that the Commission issue an order canceling the certificates of the above Companies.
- 5. The Commission has the authority to cancel a telecommunications company certificate pursuant to Section 392.410.5 RSMo 2000, 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. <u>State ex rel. Rex Deffenderfer Enterprises</u>, <u>Inc. v. Public Service Commission</u>, 776 S.W.2d 494 (Mo. App. 1989).

WHEREFORE, the Staff recommends the Commission issue an order canceling the certificates of service authority of the Companies as shown in paragraph 3 above.

Respectfully submitted,

DANA K. JOYCE General Counsel

/s/ Robert S. Berlin

Robert S. Berlin Assistant General Counsel Missouri Bar No. 51709

Attorney for the Staff of the Missouri Public Service Commission P. O. Box 360
Jefferson City, MO 65102
(573) 526-7779 (Telephone)
(573) 751-9285 (Fax)
email: bob.berlin@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed to all parties or counsel of record as shown on the attached service list this 27th day of September, 2005.

/s/ Robert S. Berlin

Office of the Public Counsel P.O. Box 7800 Jefferson City, MO 65102 Barb Sonnier d/b/a DBS Attn: Barb Sonnier 2140 N. Old Mill Rd. Brookline, MO 65619

Golden Tel, Inc. Attn: Anthony Ma, Controller 3675 W. Harmon Ave., #1 Las Vegas, NV 89103 Kevin E. Thompson 12917 Smalley Avenue Grandview, MO 64030

Kevin S. Underwood 3021 Bear Ridge Drive Wentzville, MO 63385 Reliable Payphone, Inc. Attn: Vlad Salva, Tax Manager 200 Public Square, Suite 700 Cleveland, OH 44114

Robert H. Dolliver, IV 807 College Park Drive Columbia, MO 65203 Tension Envelope Corporation Attn: Rick Shook, Acct. 819 East 19th Street Kansas City, MO 64108

Wendy Douglas 9925 W. 121st Terrace Overland Park, KS 66213

AFFIDAVIT

STATE OF MISSOURI)
COUNTY OF COLE)
I, Helen Davis, Accountant II in the Commission's Budget and Fiscal Services Department, first being duly sworn on my oath, state that the 2004 Statement of Revenue forms that were received by the Commission from <i>DBS</i> ; <i>Golden Tel, Inc.</i> ; <i>Kevin E. Thompson</i> ; <i>Kevin S. Underwood</i> ; <i>Reliable Payphone, Inc.</i> ; <i>Robert H. Dolliver, IV</i> ; <i>Tension Envelope Corporation</i> ; and <i>Wendy Douglas</i> are marked by an official of the respective pay telephone service provider to indicate that these companies do not wish to retain their certificates of service authority.
Kelen Darys
Helen Davis
Subscribed and sworn to before me this 27th day of September, 2005.
I am commissioned as a notary public within the County of
, State of Missouri, and my commission expires on
D. SUZIE MANKIN Notary Public - Notary Seal State of Missouri County of Cole My Commission Exp. 07/01/2008 NOTARY PUBLIC