

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

In the Matter of the Cancellation of the Certificates of       )  
Service Authority and Accompanying Tariffs of WorkNet    )  
Communications, Inc.   )  
**Case No. TD-2002-462**

**ORDER CANCELING CERTIFICATES**

This order cancels the certificates of service authority and accompanying tariffs of WorkNet Communications, Inc.

On March 26, 2002, the Staff of the Missouri Public Service Commission filed a motion to open a case and cancel the certificates of service authority and accompanying tariffs of WorkNet Communications, Inc. The Commission granted WorkNet a certificate of service authority to provide intrastate interexchange telecommunications services and nonswitched local exchange services, restricted to dedicated private line services, in Case No. TA-99-350, and also approved the company's tariff. On May 20, 1999, the Commission granted WorkNet a certificate of service authority to provide basic local telecommunications services in Case No. TA-99-252. The Commission approved WorkNet's basic local tariff on July 14, 2000, in Case No. TT-2000-792.

Staff states that it received a letter on February 1, 2002, signed by Joshua M. Avigad, the former general counsel of WorkNet. The letter states that WorkNet ceased operations in the summer of 2001, no longer has a customer base, and requests that WorkNet's certificates of service and tariffs be canceled.

Staff acknowledges that WorkNet has not filed a request to cancel its certificate. However, the Commission has the authority to cancel a telecommunications corporation's certificate pursuant to Section 392.410.5, RSMo 2000, which provides that "[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."

The statute's requirement of a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence.<sup>1</sup>

4 CSR 240-2.080(16) provides that parties are allowed not more than ten days in which to respond to any pleading unless otherwise ordered by the Commission. More than ten days have passed since Staff filed its motion. No response has been filed and no one has requested a hearing. Therefore, the Commission may grant the relief requested based on Staff's motion.

The Commission has reviewed the motion and the official file, and finds that the certificates of service authority and accompanying tariffs to provide intrastate interexchange telecommunications services and nonswitched local exchange services, restricted to dedicated private line services, granted to WorkNet shall be canceled.

**IT IS THEREFORE ORDERED:**

1. That the certificate of service authority to provide intrastate interexchange telecommunications services and nonswitched local exchange services, restricted to

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<sup>1</sup> *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

dedicated private line services, and accompanying tariffs, granted to WorkNet Communications, Inc., in Case No. TA-99-350, shall be canceled.

2. That the certificate of service authority to provide basic local telecommunications services, granted to WorkNet Communications, Inc., in Case No. TA-99-252, is canceled.

3. That the basic local tariffs of WorkNet Communications, Inc., approved in Case No. TT-2002-792, are canceled.

4. That this order shall become effective on May 3, 2002.

5. That this case may be closed on May 4, 2002.

**BY THE COMMISSION**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

( S E A L )

Vicky Ruth, Senior Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 23rd day of April, 2002.