

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

In the Matter of the Cancellation of the)	
Certificate of Service Authority of)	File No. PD-2010-
Ed D. Powell)	

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission and moves for the Missouri Public Service Commission (Commission) to cancel the certificate of service authority to provide private pay telephone service in Missouri of Ed D. Powell (“the Company”) and states as follows:

1. On January 10, 1996, the Commission granted a certificate of service authority to the Company to provide private pay telephone service in Missouri in Case No. TA-96-182.
2. On December 3, 2009, the Company contacted Staff and requested that its certificate of service authority be cancelled. See Attachment A.
3. Because the Company requested cancellation of its certificate and it is not providing services in Missouri, Staff recommends the Commission cancel the certificate.
4. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo 2000, which provides “[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.”
5. 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 Commission cancel the certificate of service authority of Ed D. Powell to provide private pay telephone service in Missouri.

Respectfully submitted,



Colleen M. Dale
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Attorney for the Staff of the
Missouri Public Service Commission
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 7th day of December, 2009.



Attachment A

November 27, 2009

Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102

RE: Ed D. Powell


Mr. Wess Henderson,

Please except this letter as the official request to cancel the certificate to operate a public utility under the name of Ed D Powell in the state of Missouri. I had previously sent a request to cancel with a statement of revenue as the company has not operated since the end of 2007. I must not have sent the request to the correct department. If you would have someone send a confirmation of the cancellation of certificate.

I have forwarded a check for the requested amount of \$33.41 as per the instructions of the letter dated November 18, 2009 and would like to make certain that I am no longer billed for any future assessments.

If you have any questions I may be reached at 816-525-9746 or 816-309-7400.

Thank you,



Ed D. Powell

C: Kevin A. Thompson
Steven C. Reed ✓
Helen Davis

RECEIVED
DEC 03 2009

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION