

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the Certificates)
of Service Authority of Logix Communications)
Corporation.) **Case No. TD-2005-0392**

ORDER CANCELING CERTIFICATES

Issue Date: June 8, 2005

Effective Date: June 18, 2005

This order cancels the certificates of service authority to provide basic local telecommunications services, intrastate resold nonswitched local exchange, and inter-exchange telecommunications services granted to Logix Communications Corporation.

On April 29, 2005, the Staff of the Missouri Public Service Commission filed its motion to open a case and cancel the certificates of service authority of Logix. Staff indicates that in Case No. TA-98-314, the Commission granted a certificate of service authority to Dobson Wireless to provide intrastate resold nonswitched local exchange and interexchange telecommunications services. In addition, in Case No. TA-98-342, the Commission granted Dobson Wireless a certificate of service authority to provide basic local telecommunications services. Dobson Wireless subsequently changed its name to Logix Communications Corporation in Case No. TO-2001-52.

Staff notes that in February 2002, Logix sought bankruptcy protection under Chapter 11 of the federal bankruptcy code in the Southern District of Texas. Staff further notes that the website of the Missouri Secretary of State's office indicates that the certificate of authority granted to Logix, an Oklahoma corporation, was revoked on August 28, 2000, because the company failed to file its Annual Registration Report.

Section 351.602.3, RSMo 2000, provides that “[t]he authority of a foreign corporation to transact business in this state ceases on the date shown on the certificate revoking its certificate of authority.”

The Commission approved the transfer of the Missouri assets of Logix, including all customers, to Western Communications, Inc., d/b/a Logix Communications, in Case No. LM-2003-0028. In that case, the Commission ordered Logix to file a statement concerning the ongoing nature of its business in Missouri and, if appropriate, to file an application to cancel its certificates of service authority and tariff after the transfer of customers to Western Communications.

Staff states that Logix has subsequently sent two letters to the Commission. The first letter (Attachment A to Staff’s motion), is dated August 12, 2003, and indicates that Logix has ceased operations as of September 1, 2002. The second letter (Attachment B to Staff’s motion) is dated November 22, 2004. This letter states that Logix is no longer operating or providing service in Missouri, and requests that the Commission cancel the company’s certificate of service authority.

Staff notes that Logix, in keeping with indications that the company has ceased operations and that it transferred all of its Missouri assets in 2002, has not filed a 2003 or 2004 annual report. Staff states that the company paid its assessments through the first quarterly assessment of Fiscal Year 2003, at which time the company received bankruptcy protection. The Commission did not assess the company after Fiscal Year 2003. Staff also notes that the company no longer has tariffs because its tariffs were adopted by Western Communications.

The Commission has the authority to cancel a telecommunications corporation certificate under Section 392.410.5, which states, “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.” Since no one has requested a hearing in this case, the Commission may grant the relief requested based on the application.

The Commission has reviewed the motion and finds that it is reasonable and in the public interest to cancel Logix’s certificates of service authority. Therefore, the certificates of service authority granted to Logix in Case Nos. TA-98-314 and TA-98-342 will be canceled.

IT IS THEREFORE ORDERED:

1. That the certificates of service authority granted in Case Nos. TA-98-342 and TA-98-314, to Logix Communications Corporation (formerly Dobson Wireless), are canceled.
2. That this order shall become effective on June 18, 2005.
3. That this case may be closed on June 19, 2005.

BY THE COMMISSION



Colleen M. Dale
Secretary

(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 8th day of June, 2005.