

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 27th day  
of September, 2005.

The Staff of the Missouri Public Service Commission,	)	
	)	
	)	
Complainant,	)	
	)	
v.	)	
	)	
Suretel, Inc.,	)	
	)	
Respondent.	)	

**Case No. TC-2005-0366**

**ORDER OF DEFAULT**

Issue Date: September 27, 2005

Effective Date: October 7, 2005

On April 14, 2005, the Staff of the Missouri Public Service Commission filed a complaint against Suretel, Inc. Staff informed the Commission that the Commission granted Suretel a certificate to provide basic local telecommunications services in October of 1998, in Case No. TA-98-568. Staff stated that Suretel has not filed its 2003 Annual Report nor paid its annual assessment for 2005, as order by the Commission. Staff also informed the Commission that the company was administratively dissolved by the Missouri Secretary of State in October of 2004. For its relief, Staff requested that the Commission; order that the amount of the overdue assessment be made public, authorize General Counsel to bring a penalty action in Circuit Court, and cancel the company's certificate of service authority and accompanying tariffs.

Because Suretel is administratively dissolved, Staff served the company under Section 351.602.2, RSMo 2000, which requires that service be made upon the Missouri Secretary of State. Additionally, Staff served Mark Layton through electronic and postal mail. Mark Layton is listed as vice president on the company's 2003 annual registration with the Secretary of State. The company has not responded to Staff's complaint.

Commission rule 4 CSR 240-2.070(9) allows the Commission to find in default a Respondent who does not timely answer a complaint. Suretel has not answered Staff's complaint. The Commission therefore deems the averments set forth by Staff to be admitted by Suretel and finds the company in default.

Under Section 386.600, RSMo 2000, the Commission will authorize the General Counsel to bring a penalty action against the company in Circuit Court to enforce the penalties of Section 392.210.1 for the company's failure to file an annual report. Further, for violating the Commission's order to pay its annual assessment, the Commission will authorize General Counsel to bring a penalty action against the company under Section 386.570. The Commission will also order that the amount of the assessment be made public.

Section 392.410(5), RSMo 2000, 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 . . . ." The Commission has reviewed Staff's complaint and, taking notice that the Secretary of State has dissolved the company, will cancel the company's certificate of service authority to provide basic local telecommunications services.

**IT IS THEREFORE ORDERED:**

1. That the Missouri Public Service Commission's General Counsel is authorized to bring a penalty action as set forth in the body of this order.
2. That the amount of Suretel, Inc.'s overdue assessment shall be made public.
3. That the certificate of service authority to provide resold basic local telecommunications service granted to Suretel in Case No. TA-98-568, is canceled.
4. That Suretel Inc.'s tariffs, P.S.C. MO. No. 1 and P.S.C. MO. No. 2, are canceled.
5. That this order shall become effective on October 7, 2005.
6. That this case may be closed on October 8, 2005.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Davis, Chm., Murray, Gaw, Clayton,  
and Appling, CC., concur.

Jones, Regulatory Law Judge