

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

In the Matter of the Cancellation of the)
Certificate of Service Authority and)
Accompanying Tariff of Servisense.com,)
Inc.)

Case No. TD-2005-_____

**MOTION TO OPEN CASE AND CANCEL
CERTIFICATES OF SERVICE AUTHORITY AND ACCOMPANYING TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission open a case and cancel the certificates of service authority it granted to Servisense.com, Inc to provide basic local telecommunications services and intrastate interexchange telecommunications services, as well as its tariffs. In support of its Motion, Staff respectfully states as follows:

1. In August 2000, the Missouri Public Service Commission (Commission) issued its order granting a certificate of service authority to Servisense.com, Inc. to provide basic local telecommunications services in Case No. TA-2001-45. The company's tariff, P.S.C. Mo. No. 2, was also approved in that case.

2. In December 2000, the Commission issued its order granting a certificate of service authority to provide intrastate interexchange telecommunications services in Case No. TA-2001-46. The company's tariff, Missouri Tariff No. 1, was approved in the same case.

3. The Company has provided the following contact information to the Commission:

Servisense.com, Inc.
115 Shawmut Road
Canton, MA 02021

4. The Missouri Secretary of State revoked the Company's certificate of authority to do business in Missouri on September 4, 2002 because it failed to file its Annual Registration

Report. Section 351.602 RSMo. (2000) governs the procedure and effect of revocation. Section 351.602.3 states 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.”

5. The Company’s Missouri registered agent is listed by the Missouri Secretary of State as:

CSC-Lawyers Incorporating Service Company
221 Bolivar Street
Jefferson City, MO 65101

6. Servisense.com owes no annual reports to the Commission. It has failed to pay its most recent assessment, but that assessment accrued during the time the company was in bankruptcy.

7. According to counsel for the Liquidating Supervisor of the estate of Servisense.com, Inc., the assets of Servisense.com were taken over by Alticomm, Inc. by order of the United States Bankruptcy Court. See Appendix A. The *Order Confirming Joint Liquidating Plan of Reorganization* referenced by Servisense’s counsel was issued by the Court in the District of Massachusetts, Eastern Division, in Case No. 01-16539-WCH. Servisense.com’s counsel has indicated that since the liquidating plan was confirmed, Servisense.com has ceased engaging in business. See Appendix A. The undersigned counsel has also confirmed with SBC Missouri that after May 23, 2005 and perhaps before that date, the company ceased providing service to Missouri customers through SBC Missouri lines.

8. No customers have contacted the Commission to make complaints about Servisense.com since the commencement of the Commission’s EFIS system.

9. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2004), 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.

10. 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. 1989).

11. Thus, the Commission has the authority to cancel the certificates of service authority it granted to Servisense.com, Inc. in Case No. TA-2001-45 to provide basic local telecommunications services, and in Case No. TA-2001-46 to provide intrastate interexchange telecommunications services, as well as the company's tariffs, Missouri Tariff No. 1 and P.S.C. Mo. No. 2. Such an action is supported because the company has no authority to transact business in the State of Missouri under Section 351.602.3, and because it appears the company has no remaining Missouri customers, nor does it intend to provide service in Missouri.

12. This pleading is being served via certified mail upon the address the company has previously has provided the Commission, as well as the company's registered agent in Missouri and counsel for the company's liquidating supervisor.

WHEREFORE, the Staff moves that the Commission cancel the certificates of service authority it granted to Servisense.com, Inc. in Case No. TA-2001-45 to provide basic local telecommunications services, and in Case No. TA-2001-46 to provide intrastate interexchange telecommunications services, as well as the company's tariffs, Missouri Tariff No. 1 and P.S.C. Mo. No. 2.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ David A. Meyer

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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 the following this 23rd day of May 2005.

/s/ David A. Meyer

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P. O. Box 7800
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