

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

In the Matter of the Cancellation of the)
Certificates of Service Authority and)
Accompanying Tariff of U.S. TelePacific)
Corp. d/b/a TelePacific Communications)

Case No. TD-2006-_____

**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 cancel U.S. TelePacific Corp. d/b/a TelePacific Communications' certificate of service authority to provide basic local and local exchange services; its certificate of service authority to provide intrastate interexchange telecommunications services; and its tariff P.S.C. MO. Tariff No. 1 (relating to interexchange service). In support of its Motion, the Staff respectfully states as follows:

1. The Commission granted U.S. TelePacific Corp. d/b/a TelePacific Communications a certificate of service authority to provide basic local and local exchange telecommunications services in Missouri in Case No. TA-2000-732, with an effective date of October 6, 2000. The company never filed a tariff to provide these services. As the Commission's grant of a certificate was contingent upon a tariff filing, the company's certificate of service authority never properly came into effect, but the Commission's system reflects its certificate as "active" and the company has submitted annual reports and statements of revenue.

2. The Commission also granted U.S. TelePacific Corp. d/b/a TelePacific Communications a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri in Case No. TA-2000-731, with an effective date of June 18, 2000. The Commission approved the company's tariff, P.S.C. MO. No. 1, in the same case.

3. On December 20, 2005, the “Corporate Records Analyst” of U.S. TelePacific Corp. d/b/a TelePacific Communications sent a letter to the Commission requesting that the Commission cancel its certificates of service authority because it had no Missouri customers and did not intend to provide service to Missourians in the future. See Appendix A.

4. Staff has conducted an investigation of the Commission’s records. No complaints against the company regarding its telecommunications services have been filed with the Commission since the Commission’s EFIS system began operation. The company does not owe the Commission any annual reports, statements of revenue, or assessments.

5. Accordingly, because U.S. TelePacific Corp. d/b/a TelePacific Communications has no Missouri customers and because it has requested cancellation of its certificates of service authority, the Staff recommends that the Commission issue an order canceling U.S. TelePacific Corp. d/b/a TelePacific Communications’ certificates of service authority to provide basic local and local exchange telecommunications services; interexchange telecommunications services; and its tariff, P.S.C. MO. Tariff No. 1 (relating to interexchange service).

6. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo 2000, 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.

However, 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).

7. This pleading will be served via certified mail on the address provided by the company to the Commission.

WHEREFORE, the Staff recommends the Commission cancel U.S. TelePacific Corp. d/b/a TelePacific Communications certificates of service authority to provide basic local and local exchange telecommunications services; interexchange telecommunications services; and its tariff, P.S.C. MO. Tariff No. 1 (relating to interexchange service).

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ David A. Meyer

David A. Meyer
Senior Counsel
Missouri Bar No. 46620

Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-8706 (Telephone)
(573) 751-9285 (Fax)
david.meyer@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or electronically mailed to all parties of record as shown below this 30th day of December 2005.

/s/ David A. Meyer

U.S. TelePacific Corp. d/b/a TelePacific Communications
Attn: Glenn San Nicolas
515 South Flower Street, 47th Floor
Los Angeles, CA 90071-2201
(via certified mail)

Office of the Public Counsel
Governor Office Building, Ste 650
200 Madison Street
P. O. Box 7800
Jefferson City, MO 65102



RECEIVED
DEC 27 2005

December 20, 2005

UTILITY OPERATIONS
DIVISION

The Commission Secretary
Missouri Public Service Commission
Attn: Telecommunications Division
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102-0360

Re: CPCN State Application Withdrawal

Dear Commission Secretary,

U.S. TelePacific Corp. dba TelePacific Communications would like to withdraw its certificate of authority to do business in Missouri. U.S. TelePacific Corp. has never served customers in Missouri, and does not intend to serve any customers in the foreseeable future.

If any additional information is needed, please do not hesitate to contact me at gsannicolas@telepacific.com, or you may call me directly at (213) 213-3026.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. San Nicolas', written over a dotted line.


Glenn San Nicolas
Corporate Records Analyst

APPENDIX A

VERIFICATION

STATE OF MISSOURI)
)
COUNTY OF COLE)

Comes now Sherri L. Kohly, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that the affiant has read the accompanying pleading and the attached Appendix A, and that the facts therein are true and correct.



Sherri L. Kohly
Affiant

Subscribed and affirmed before me this 29th day of December, 2005. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on September 23, 2008.

Rosemary B. Robinson
NOTARY PUBLIC

