## NEWMAN, COMLEY & RUTH

PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
MONROE BLUFF EXECUTIVE CENTER
601 MONROE STREET, SUITE 301
P.O. BOX 537

JEFFERSON CITY, MISSOURI 65102-0537 www.ncrpc.com

July 1, 2003

TELEPHONE: (573) 634-2266 FACSIMILE: (573) 636-3306

The Honorable Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102-0360 JUL 0 1 2003

Missouri Public Service Commission

Re:

ROBERT K. ANGSTEAD

CATHLEEN A. MARTIN

STEPHEN G. NEWMAN

J. MATTHEW SHELLENBERGAR ALICIA EMBLEY TURNER

MARK W. COMLEY

JOHN A. RUTH

Teleglobe USA, Inc.

Dear Judge Roberts:

Enclosed for filing on behalf of Teleglobe USA, Inc. please find the original and five copies of an Application to Cancel Certificate of Service Authority and Tariff.

Would you please bring this filing to the attention of the appropriate Commission personnel. If you have any questions, please advise. Thank you.

Sincerely,

NEWMAN, COMLEY & RUTH P.C.

By:

Mark W. Comle

comleym@ncrpc.com

MWC:ab Enclosure

cc: Office of Public Counsel

General Counsel's Office

Brett P. Ferenchak

Charles Tievsky



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

In the Matter of the Application of	)	
Feleglobe USA Inc.	)	
To Cancel its Certificate of Service	)	Case No
Authority and Tariff in the State of Missouri.	)	

# APPLICATION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY AND TARIFF

COMES NOW Teleglobe USA Inc. ("Teleglobe"), through its undersigned counsel, and pursuant to 4 CSR 240-2.060 and § 392.410(5), RSMo 2000, respectfully requests the Missouri Public Service Commission ("Commission") to cancel its Certificate of Service Authority and Tariff. In support of its Application, Teleglobe states as follows:

- 1. Telelgobe is a Delaware corporation located at 11495 Commerce Park Drive, Reston, Virginia, 20191. The Commission issued Teleglobe a Certificate of Service Authority to provide intrastate interexchange telecommunications services within the state of Missouri in Case No. TA-98-287 on March 2, 1998 (the "Certificate").
- 2. Teleglobe's certificate of authority to do business from the Missouri Secretary of State was recently attached to the Application filed in Case No. XM-2003-0299. Pursuant to 4 CSR 240-2.060(1)(G), Teleglobe requests that the certificate and registration be incorporated by reference herein.
- 3. Teleglobe does not currently have any customers in the state of Missouri and, as approved in Case NO. XM-2003-0299, Teleglobe recently transferred its Missouri assets to Teleglobe USA LLC. Accordingly, notice of discontinuance of service is unnecessary.
- 4. Teleglobe does not have any pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or

rates, which action, judgment or decision has occurred within three (3) years of the date of the application. Teleglobe does not, to the best of its knowledge, have any overdue annual reports or assessment fees.

## **Contact Information**

5. All communications, correspondence, and pleadings in regard to this application should be directed to:

## Counsel for Applicant:

Mark W. Comley
Newman, Comley & RUTH PC
Monroe Bluff Executive Center
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, Missouri 65102-0537

Tel: 573-634-2266 Fax: 573-634-3306

Email: comleym@ncrpc.com

### and:

Catherine Wang, Esq.
Troy F. Tanner, Esq.
Brett P. Ferenchak, Esq.
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007-5116

Tel: 202-424-7500 Fax: 202-424-7643

Email: CWang@swidlaw.com TFTanner@swidlaw.com

BPFerenchak@swidlaw.com

## For Telelgobe:

Charles Tievsky Assistant General Counsel Teleglobe USA Inc. 11495 Commerce Park Drive Reston, Virginia 20191

Tel: 703-755-2430 Fax: 703-755-2619

Email: Chuck.Tievsky@teleglobe.com

## **Public Interest**

6. Cancellation of Teleglobe's Certificate of Service Authority and tariffs is not detrimental to the public interest. The public will not be harmed by Teleglobe's withdrawal because, as stated above, Teleglobe does not provide any telecommunications services to customers in Missouri, and thus, no customers will be affected. Furthermore, there are many other alternative telecommunications providers from whom Missouri residents can purchase interexchange telecommunications services.

#### Conclusion

WHEREFORE, Teleglobe USA Inc. respectfully requests the Commission to issue an order canceling its certificate of service authority and tariff and granting such other relief as is reasonable in the circumstances.

Respectfully submitted,

Mark W. Comley

#28**8**4

Newman, Comley & Ruth PC

Monroe Bluff Executive Center 601 Monroe Street, Suite 301

P.O. Box 537

Jefferson City, Missouri 65102-0537

Tel: 573-634-2266 Fax: 573-634-3306

Email: comleym@ncrpc.com

Catherine Wang, Esq.

Troy F. Tanner, Esq.

Brett P. Ferenchak, Esq.

Swidler Berlin Shereff Friedman, LLP

3000 K Street, N.W., Suite 300

Washington, D.C. 20007-5116

Tel: 202-424-7500

Fax: 202-424-7643

Email: CWang@swidlaw.com

TFTanner@swidlaw.com

BPFerenchak@swidlaw.com

COUNSEL FOR APPLICANT

Date: July 1, 2003

## **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by email or mailed, First Class, postage prepaid this 1st day of July 2003, to:

July N. Comley

Office of the Public Counsel P.O. Box 7800 Jefferson City, MO 65102

Dana K. Joyce General Counsel Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102 COMMONWEALTH OF VIRGINIA

SS.

COUNTY OF FAIRFAX

#### VERIFICATION

I, Charles A. Tievsky, state that I am Assistant General Counsel of Teleglobe USA Inc., Applicant in the foregoing Application; that I am authorized to make this Verification on behalf of Teleglobe USA Inc.; that the foregoing Application was prepared under my direction and supervision; and that the statements in the foregoing document with respect to Teleglobe USA Inc. are true and correct to the best of my knowledge, information, and belief.

Charles A. Tievsky

Assistant General Counsel

Teleglobe USA Inc.

Sworn and subscribed before me this 24 day of June, 2003.

Notary Public

My commission expires: 31 December 2004

