

**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 Better World)
Telecom, Inc.)

Case No. XD-2005-_____

**MOTION TO OPEN CASE AND CANCEL
CERTIFICATE OF SERVICE AUTHORITY AND TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Motion to Open Case and Cancel Certificate of Service Authority and Tariff, respectfully states as follows:

1. In March 2003, the Missouri Public Service Commission (Commission) issued its order in Case No. XA-2003-0283, granting Better World Telecom, Inc. a certificate of service authority to provide intrastate interexchange telecommunications services. The Commission also approved its tariff, Missouri P.S.C. Tariff No. 1, in the same case.

2. Better World Telecom, Inc. is a Delaware corporation. The company was duly registered with the Missouri Secretary of State, but was administratively dissolved by the Missouri Secretary of State on February 19, 2004 because it failed to file its annual registration report. On November 15, 2004, the company's Missouri registered agent resigned.

3. The Commission has sent correspondence to the address the Commission had on file, which is also the same address for the company contained in the Missouri Secretary of State's records:

11921 Freedom Drive, Suite 550
Reston, VA 20190

This mail was returned to the Commission as undeliverable. See Attachment A. More recent mail has not been returned to the Commission as undeliverable, but it is unclear whether it is reaching the company. Company personnel have advised that the undersigned attorney that a correct address is:

11951 Freedom Drive, 13th Floor
Reston, VA 20190

4. Better World Telecom, Inc. has requested the cancellation of its certificate of service authority. See Attachment B. As the company has not operated since February 2003, no Missouri customers are receiving service under this certificate of service authority.

5. Better World Telecom, Inc. does not owe any annual reports to the Commission. It has failed to pay its Fiscal Year 2005 assessment, which was based on an estimate and is a very minimal amount.

6. Because Better World Telecom, Inc. has requested cancellation of its certificate and because it is no longer providing telecommunications service in Missouri, the Staff recommends that the Commission issue an order canceling Better World Telecom, Inc.'s certificate and tariff and remove Better World Telecom, Inc. from the Commission's Electronic Filing Information System (EFIS) records.

7. 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.

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).

8. This pleading is being served both on Better World Telecom, Inc.'s most recent corporate address contained in its Annual Registration Report filed with the Missouri Secretary of State as well as the address recently provided by the company to the Commission as the current, accurate address.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority granted Better World Telecom, Inc. to provide interexchange telecommunications services, as well as its accompanying tariff, Missouri P.S.C. Tariff No. 1.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ David A. Meyer

David A. Meyer
Senior Counsel
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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 16th day of March 2005.

/s/ David A. Meyer

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200 Madison Street
P. O. Box 7800
Jefferson City, MO 65102

Betterworld Telecom, Inc.
11951 Freedom Drive, 13th Floor
Reston, VA 20190
(Via Certified Mail)

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