

**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 Dancris Telecom,)
LLC)

Case No. XD-2006-_____

**MOTION TO OPEN CASE AND CANCEL
CERTIFICATE 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 Dancris Telecom, LLC's certificate of service authority to provide interexchange telecommunications services and its tariff. In support of its Motion, Staff respectfully states as follows:

1. In September 2001, the Commission granted Dancris Telecom, LLC a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri in Case No. TA-2002-116. The Commission approved the company's tariff, P.S.C. MO Tariff No.1, in the same case.

2. The web site of the Office of the Missouri Secretary of State reports that Dancris Telecom, LLC, an Arizona limited liability corporation, registered with the State of Missouri to do business in 2001. The web site also reports that that registration is perpetual. The web site of the Arizona Secretary of State reflects that Dancris Telecom, LLC has registration valid until 2050. The last activity according to that source by Dancris was in 2004, when it last added a member to the partnership.

3. The Dancris website has a notification posted that indicates that its assets have been transferred to Andiamo Telecom, LLC. See Appendix A. Upon contacting Andiamo

Telecom, LLC, Staff was told that although Andiamo personnel could not speak for Dancris, to the best of the knowledge of the Andiamo personnel (some of whom formerly were employed by Dancris), Dancris no longer exists except perhaps as a paper entity.

4. The telephone number provided to the Commission by Dancris remains operational and mail is not returned. However, Staff attempted to contact Dancris to verify that the company still existed and to determine whether it desired to maintain its certification in Missouri by leaving messages at the telephone number provided on June 30, 2005 and July 15, 2005. Those calls have not been returned and it is unclear whether the telephone number is actually a number where Dancris can be reached.

5. It does not appear that Dancris had any Missouri customers during or after the transfer of its assets to Andiamo Telecom, LLC.

6. The Commission assessed Dancris Telecom, Inc., a minimal assessment based on an estimate because the company failed to submit its Statement of Revenue. The company also failed to submit its 2004 calendar year annual report.

7. No customers have contacted the Commission with complaints about Dancris Telecom, LLC., since the commencement of the Commission's EFIS system.

8. 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).

9. Thus, the Commission has the authority to cancel the certificate of service authority it granted to Dancris Telecom, LLC., to provide intrastate interexchange telecommunications services in Missouri in Case No. TA-2002-116, as well as the company's tariff, P.S.C. MO Tariff No.1. Such an action is supported because the company appears to have disappeared and the Commission's Staff is unable to communicate with the company other than by sending letters and leaving messages that do not generate a response.

10. This pleading is being served via certified mail upon the most recent address provided to the Commission by the company. It is also being served by regular mail upon its registered agent. It is also being served by regular mail upon all partners and the registered agent in Arizona of Dancris Telecom, LLC as reflected by the Arizona Secretary of State's website.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority it granted to Dancris Telecom, LLC., to provide intrastate interexchange telecommunications services in Missouri in Case No. TA-2002-116, as well as the company's tariff, P.S.C. MO Tariff No.1.

Respectfully submitted,

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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 1st day of August 2005.

/s/ **David A. Meyer**

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Customer Notification

The Dancris.com site is no longer active (see info below). You will be re-directed to www.andiamo-telecom.com site in 30 seconds. Earlier this year, Dancris negotiated an agreement to sell Dancris' long distance and internet business assets to Andiamo Telecom, L.L.C. Andiamo is now handling your former Dancris account. Please don't hesitate to contact an Andiamo Customer Service Specialist at (800) 541-6316 to answer any questions and to assist you as needed.