

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

In the Matter of the Cancellation of the )	
Certificate of Service Authority and )	Case No. XD-2007-
Accompanying Tariff of Dial-Thru, Inc. )	

**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 the certificate of service authority it has granted to Dial-Thru, Inc., to provide intrastate interexchange telecommunications services in Missouri, as well as its tariff. In support of its Motion, Staff respectfully states as follows:

1. On October 9, 2002, the Missouri Public Service Commission (Commission) issued an order granting a certificate of service authority to provide intrastate interexchange telecommunications services to RDST, Inc. in Case No. TA-99-478, and approved its tariff, P.S.C. Mo. Tariff No. 1, in the same case. The Commission approved the change of name from RDST, Inc. to Dial-Thru, Inc. in Case No. TO-2002-360.

2. Dial-Thru, Inc., through a letter from its consultant, has asked the Commission to cancel its certificate of service authority because it has ceased operating in Missouri. See Appendix A.

3. Dial-Thru, Inc. owes no annual reports or assessments. No formal complaints have been filed against the company since the commencement of the Electronic Filing and Information System, and any informal complaints or inquiries received have been closed.

4. Dial-Thru, Inc. is a Texas corporation. Its authority to do business in the state of Missouri was revoked for failing to file its annual registration report on January 29, 2004, according to the Missouri Secretary of State's office. Section 351.602.3 RSMo. (2000) 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. Because Dial-Thru, Inc. has requested cancellation of its certificate; it is not providing telecommunications service in Missouri; and it no longer has authority to transact business in the state, the Staff recommends that the Commission issue an order canceling Dial-Thru, Inc.’s certificate of service authority, as well as its tariff.

6. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2006), 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 is being served on the address provided by the company to the Commission via certified mail, as well as upon its Missouri registered agent and the address provided to the Commission by Dial-Thru, Inc.’s consultant.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Dial-Thru, Inc. to provide intrastate interexchange telecommunications services; and also its tariff, P.S.C. Mo. Tariff No. 1.

Respectfully submitted,

/s/ David Meyer

David Meyer  
Senior Counsel  
Missouri Bar No. 46620

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

### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed return receipt requested or electronically to all counsel of record as shown on the attached service list this 3<sup>rd</sup> day of November 2006.

/s/ David A. Meyer

Office of the Public Counsel  
P.O. Box 2230  
Jefferson City, MO 65102

TCS Corporate Services, Inc.  
Registered Agent for Dial-Thru, Inc.  
222 East Dunklin St., Suite 102  
Jefferson City, MO 65101

Regulatory and Tax Consultants  
c/o Dial-Thru, Inc.  
3419 Sentinel Circle  
Lawrenceville, GA 30043

Dial-Thru, Inc.  
7310 Woolworth Avenue  
Omaha NE 68124-1604  
*(Via Certified Mail)*



*Regulatory & Tax  
Consultants*

October 23, 2006

Manager of Data Center  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
Jefferson City, MO 65101

**RECEIVED<sup>4</sup>**

OCT 30 2006

*Records  
Public Service Commission*

Re: Dial-Thru, Inc.

To Whom It May Concern:

I am writing to inform you that our client, Dial-Thru, Inc (RDST, Inc.), has discontinued doing business in the state of Missouri effective August 31, 2005. Please cancel their certificate with the commission ASAP. We would also like to request a confirmation letter from you via mail that this letter was received and the certification has been cancelled. Can you please address the letter to:

Regulatory and Tax Consultants  
c/o Dial-Thru, Inc. (RDST, Inc.)  
3419 Sentinel Circle  
Lawrenceville, GA 30043

All further notices should also mail to the address above. If you have any questions, please call me at 678-894-4112. Thank you for your immediate attention to this matter.

A handwritten signature in black ink, appearing to read 'Kenyatta Perkins', is written over a large, stylized circular scribble.

Kenyatta Perkins  
Consultant

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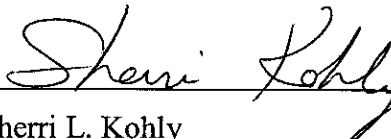
3419 Sentinel Circle  
Lawrenceville, GA 30043  
Office: (678) 894-4112 Fax: (678) 894-4113

Appendix A

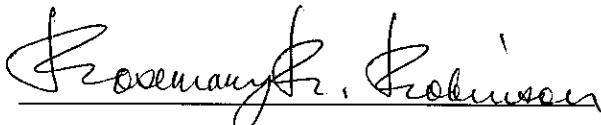
VERIFICATION

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 that the facts therein are true and correct to the best of her knowledge.

  
\_\_\_\_\_  
Sherri L. Kohly  
Affiant

Subscribed and affirmed before me this 3<sup>rd</sup> day of November 2006. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on 9-23-2008.

  
\_\_\_\_\_  
NOTARY PUBLIC

