

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

In the Matter of the Cancellation of the Certificate of)
Service Authority of LDC Telecommunications, Inc.,)
to Provide Intrastate Interexchange) **File No. XD-2013-_____**
Telecommunications Services in the State of Missouri)

MOTION TO REVOKE CERTIFICATE OF SERVICE AUTHORITY

COMES NOW Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and moves for the Missouri Public Service Commission (“Commission”) to revoke the certificate of service authority and associated tariff of LDC Telecommunications, Inc. (“LDC” or “Company”). For its Motion, Staff respectfully states as follows:

1. On August 31, 1995, the Commission granted a certificate of service authority to LDC to provide intrastate interexchange telecommunications services in the State of Missouri in Case No. TA-95-405.

2. Section 392.248.3, RSMo (2000) provides that “The universal service fund shall be funded through assessments on all telecommunications companies in the state which shall be based on Missouri jurisdictional telecommunications services revenue and other nondiscriminatory factors as determined by the commission.”

3. Rule 4 CSR 240-31.065 (1) provides that “All applicable carriers shall place on each retail end-user customer’s bill, a surcharge equal to the percentage assessment ordered by the commission.” Further, Section (4) of the rule provides that “All applicable carriers shall remit to the Fund Administrator the funds received as a result of the application of the MoUSF surcharge.”

4. Despite Staff's and the Missouri Universal Service Fund (MoUSF) Administrator's numerous attempts to contact LDC, the Company has continued to be delinquent in MoUSF remittances for 3rd and 4th quarter 2012.

5. Due to the Company's continued neglect of the Commission's statutes and rules, Staff moves for the Commission to revoke LDC's certificate of service authority.

6. Section 392.248.3, RSMo (2000) provides that "A telecommunications company that fails to pay an assessment that is due and payable pursuant to this section may have its certificate revoked or be required to pay appropriate penalties under chapter 386, RSMo, after notice and hearing."

7. 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. W.D. 1989).

8. If the Commission revokes LDC's certificate of service authority, Staff recommends the Commission order LDC to provide notice to the Commission when the Company completes transfer of its customers to another provider.

WHEREFORE, Staff recommends the Commission revoke the certificate of service authority and associated tariff of LDC Telecommunications, Inc., to provide intrastate interexchange telecommunications services in the State of Missouri

Respectfully submitted,

/s/Jennifer Hernandez

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on this 7th day of March, 2013 by: United States Postal Mail, postage prepaid, to LDC Telecommunications, Inc., Attn: Legal Department, 2451 N. McMullen Booth Rd., Suite 200, Clearwater, FL 33759; electronic mail to LDC Telecommunications, Inc., at ldc@ldctele.com; and electronic mail to the Office of the Public Counsel at opcservice@ded.mo.gov.

/s/Jennifer Hernandez