

**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 Bee Line Long) Case No. XD-2006-
Distance, LLC d/b/a Hello Telecom)

**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 Bee Line Long Distance, LLC d/b/a Hello Telecom’s certificate of service authority to provide interexchange and nonswitched local exchange telecommunications services and the accompanying tariff. In support of its motion, Staff respectfully states as follows:

1. In March 2003, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide interexchange and nonswitched local exchange telecommunications services to Bee Line Long Distance, LLC d/b/a Hello Telecom (Bee Line) in Case No. XA-2003-0262. The Commission approved Bee Line’s tariff, Missouri P.S.C. Tariff No. 1, in the same case.

2. The web site of the Office of the Missouri Secretary of State reports that the certificate of authority granted to Bee Line, a Utah limited liability company, was intentionally revoked January 11, 2005. On that date, the company filed “Articles of Cancellation of a Foreign Limited Liability Company” as permitted by Section 347.161 RSMo. (Supp. 2004). As part of that filing, the company’s representative indicated that the company was no longer doing business and that it surrendered its authority to transact business in the State of Missouri.

3. Bee Line’s 2004 annual report form was returned by the post office to the Commission as undeliverable. On July 7, 2005, the Telecommunications Department Staff

contacted Bee Line regarding its returned mail and failure to submit an annual report. On July 12, 2005, Elmo Beutler, Manager of Bee Line, contacted the Commission's Data Center to inquire about canceling Bee Line's certificate. Mr. Beutler stated that Bee Line no longer offers service in Missouri and no longer wishes to retain its certificate of service authority.

4. The verbal request from Mr. Beutler, in addition to Bee Line's failure to maintain a correct address and Bee Line's "dissolved status" since January 11, 2005, form the basis for Staff's motion to open case. Staff believes that Bee Line has violated the terms of its certificate by its failure to keep the Commission informed of its current address. Section 392.210(2) states, among other things, "The commission shall at all times have access to all accounts, records and memoranda kept by telecommunications companies... ."

5. The company owes no assessments. Although it has not submitted its 2004 annual report, the company never received it because it was returned as undeliverable. Section 392.210.1 states that the Commission must furnish a blank form for the annual report to every telecommunications company, and Bee Line never received its form.

6. The Commission has the authority to cancel a telecommunications company certificate pursuant to Section 392.410.5 RSMo 2000, 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. Staff is serving this pleading on the registered agent of Bee Line as listed on the website of the Secretary of State. The company's Articles of Cancellation terminate the

authority of its registered agent to accept service based on causes of action arising while it was authorized to do business in Missouri. However, the basis of the claim outlined above is derived from the period after the company's authorization ceased. Additionally, the company has indicated that it now has a P.O. Box as its address, and this pleading will be served via regular mail on that address as well.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Bee Line to provide interexchange and nonswitched local exchange telecommunications services as well as the accompanying tariff, Missouri P.S.C. Tariff No. 1.

Respectfully submitted,

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/s/ David A. Meyer

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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 below this 19th day of July, 2005.

/s/ David A. Meyer

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