

**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 PT-1)
Communications, Inc.)

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 PT-1 Communications, Inc.'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 June 1997, the Commission granted PhoneTime, Inc. a certificate to provide intrastate interexchange telecommunications service in Missouri in Case No. TA-97-470. PhoneTime, Inc. later changed its name to PT-1 Communications, Inc. in Case No. TO-98-400. The Commission subsequently approved the company's tariff, Mo.PSC Tariff No.1.

2. The web site of the Office of the Missouri Secretary of State reflects that PT-1 Communications, Inc., a New York corporation, is currently in good standing. However, the company has been notified that its authority to do business in Missouri will be revoked if it fails to submit its now-overdue annual registration report for 2005. The company last filed a report with the Missouri Secretary of State in June 2005. The address and contact information on the most recent annual registration report is the same as that contained in the Commission's files. Address information contained in the company's record in its native state of New York is the same as that held by the Missouri Secretary of State and the Commission.

3. The telephone number provided to the Commission by the company is no longer in service. Mail sent to the address provided by the company has been returned as undeliverable. See Appendix A.

4. PT-1 Communications, Inc., owes no assessments. In keeping with indications that the company has ceased operations, the company has failed to submit its 2005 annual report. Recent annual reports reflect that the company had no Missouri jurisdictional revenues and no Missouri customers. Indeed, in 2002 in Case No. TO-2003-0072 the Commission approved a transaction where all Missouri customers of PT-1 Communications, Inc. were transferred to TTI National, Inc. under the auspices of the bankruptcy court. Since that time, the company's submissions have reflected no Missouri jurisdictional revenues or customers.

5. Staff believes that PT-1 Communications, Inc., has violated the terms of its certificate by its failure to keep the Commission informed of its current telephone number or provide current contact information. Section 392.210(2) RSMo. (2000) states, among other things, "The commission shall at all times have access to all accounts, records and memoranda kept by telecommunications companies... ." Because PT-1 Communications, Inc., has failed to keep the Commission informed of a current address or telephone number, the Commission is unable to contact PT-1 Communications, Inc. Therefore, PT-1 Communications, Inc., has denied the Commission access that is required of the Commission under Section 392.210(2) RSMo. (2000). Certainly, PT-1 Communications, Inc., has denied the Commission its ability to supervise telecommunications operations and services as statutorily mandated under Section 386.250 RSMo. (2000).

6. No customers have contacted the Commission with complaints about PT-1 Communications, Inc., since the commencement of the Commission's EFIS system.

7. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2005), 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. Thus, the Commission has the authority to cancel the certificate of service authority it granted to PT-1 Communications, Inc., to provide intrastate interexchange telecommunications services in Missouri in Case No. TA-97-470 as amended by Case No. TO-98-400, as well as the company's tariff, Mo. PSC 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.

9. This pleading is being served upon the most recent address provided to the Commission by the company. It is also being served by certified mail upon its registered agent.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority it granted to PT-1 Communications, Inc., to provide intrastate interexchange telecommunications services in Missouri in Case No. TA-97-470 as amended by Case No. TO-98-400, as well as the company's tariff, Mo. PSC Tariff No.1.

Respectfully submitted,

/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 15th day of June 2006.

/s/ **David A. Meyer**

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

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30-50 Whitestone Expressway
Flushing, NY 11354

National Registered Agents, Inc.
Registered Agent for PT-1 Communications, Inc..
300-B East High Street
Jefferson City, MO 65101
(Via Certified Mail)

Missouri Public Service Commission
Administration Division
P.O. Box 360
Jefferson City, Missouri 65102

MO 419-2629 (4-01)

RECEIVED

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BUDGET & FISCAL SVCS
MO. P.S.C.

Rosalind Gaffney
PT-1 Communications, Inc.
30-50 Whitestone Expressway
Flushing NY 11354



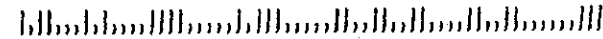
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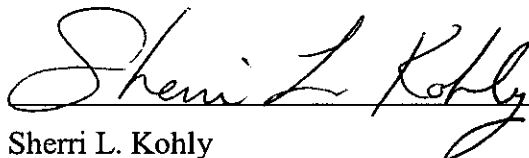
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VERIFICATION

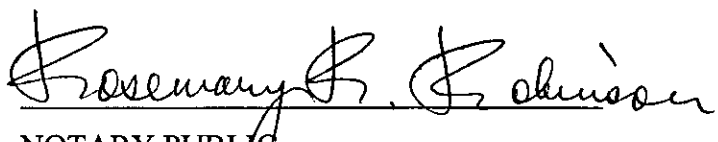
STATE OF MISSOURI)
)
COUNTY OF COLE)

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 15th day of June 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

