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

In the Matter of Matrix Telecom, Inc., d/b/a ) Matrix Business Technologies Changing Name ) to Matrix Telecom, Inc., d/b/a/ Matrix Business ) Technologies d/b/a Trinsic Communications )

Case No. XN-2008-0198 Tariff Nos. JX-2008-0294

## STAFF'S MOTION TO SUSPEND OR REJECT TARIFF

COMES NOW the Staff of the Missouri Public Service Commission and for its motion states:

1. Matrix Telecom, Inc., d/b/a Matrix Business Technologies (Matrix) is certificated by the Commission to provide interexchange telecommunications service.

2. On November 5, 2007, Matrix filed a new interexchange services tariff, Missouri

P.S.C. Tariff No. 7, designed to add a second fictitious name, Trinsic Communications. The tariff was assigned tariff file number JX-2008-0294. The tariff bore a proposed effective date of December 5, 2007.

3. On November 20, 2007, Matrix filed a substitute Tariff No. 7 designed to replace the fictitious name Matrix Business Technologies with the fictitious name Trinsic Communications. Matrix also extended the proposed effective date for 30 days, i.e., to January 4, 2008.

4. On December 28, 2007, Matrix extended the proposed effective date of the tariff to February 4, 2008.

5. Commission Rule 4 CSR 240-2.060 provides:

(5) A name change may be accomplished by filing the items below with a cover letter requesting a change of name. Notwithstanding any other provision of these rules, the items required herein may be filed by a nonattorney. Applications for approval of a change of name shall include:

(A) A statement, clearly setting out both the old name and the new name;

(B) Evidence of registration of the name change with the Missouri secretary of state; and

(C) Either an adoption notice and revised tariff title sheet with an effective date which is not fewer than thirty (30) days after the filing date of the application, or revised tariff sheets with an effective date which is not fewer than thirty (30) days after the filing date of the application.

6. Commission Rule 4 CSR 240-3.545(20) provides that in the case of a name change, the telecommunications company shall notify its customers at or before the next billing cycle of any name change affecting customer recognition of the company and file a copy of that notice with the adoption notice.

7. The Staff has informed Matrix of the customer notice requirement.

8. Records of the Commission may be considered as part of the record by reference thereto when so offered. 4 CSR 240-2.130(1); 536.070(5) RSMo.

9. The Commission may take notice from its records in this matter that Matrix has not filed a copy of a notice informing customers of the change of fictitious names.

10. The Staff requests a waiver of the requirement of 4 CSR 240-2.065(3) to attach a copy of the tariffs to this motion to suspend. Tariff No. 7 is 81 pages. The Original Title Page of the tariff is attached to this motion.

WHEREFORE, the Staff requests the Commission to suspend or reject Matrix's Tariff No. 7, based on Matrix's failure to comply with the customer notice rule.

Respectfully submitted,

/s/ William K. Haas

William K. Haas Deputy General Counsel Missouri Bar No. 28701

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## **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 23<sup>rd</sup> day of January, 2008.

<u>/s/ William K. Haas</u>

Scott Klopack Matrix Telecom, Inc. Vice-President and General Counsel 7171 Forest Lane, Suite 700 Dallas, TX 75230

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Missouri P.S.C. Tariff No. 7 Original Title Page

This tariff, Missouri P.S.C. Tariff No. 7, filed by Matrix Telecom, Inc. d/b/a Trinsic Communications, cancels and replaces, in its entirety, the current tariff on file with the Commission, Missouri Tariff No. 6 filed by Matrix Business Technologies.

#### TITLE SHEET

#### MISSOURI TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for intrastate interexchange telecommunications services provided by Matrix Business Technologies d/b/a Trinsic Communications, with principal offices at 7171 Forest Lane, Suite 700, Dallas, TX 75230. This tariff applies for services furnished within the state of Missouri. This tariff is on file with the Missouri Public Service Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business or their website at www.matrixbt.com.

Issued: November 5, 2007

Issued by:

Scott Klopack Vice President of Regulatory Affairs and General Counsel 7171 Forest Lane, Suite 700 Dallas, TX 75230

Effective: December 5, 2007

MOi0702