

**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 Norstar)
Communications, Inc. d/b/a Business)
Savings Plan, Inc.)

Case No. XD-2006-_____

**MOTION TO OPEN CASE AND CANCEL
CERTIFICATE OF SERVICE AUTHORITY AND TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Motion to Open Case and Cancel Certificate of Service Authority and Tariff, respectfully states as follows:

1. In February 2001, the Missouri Public Service Commission (Commission) issued its order in Case No. TA-2001-377, granting Norstar Communications, Inc. d/b/a Business Savings Plan, Inc. a certificate of service authority to provide intrastate interexchange telecommunications services. The Commission also approved its tariff, P.S.C. Mo. 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of State reports that the certificate of authority granted to Norstar Communications, Inc., a California corporation, was revoked February 19, 2004 because the company failed to file its Annual Registration Report. 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.” The fictitious name “Business Savings Plan, Inc.” has been registered with the Missouri Secretary of State, but that registration requires no ongoing filings and does not terminate without action from the registered entity.

3. Mail sent to the address provided by the company has been returned to the Commission as undeliverable. See Appendix A.

4. Counsel for Staff attempted to contact the company using the telephone number provided to the Commission. That telephone number now appears to be an individual's home number and the answering machine message does not reference this or any other corporate entity.

5. Norstar Communications, Inc. d/b/a Business Savings Plan, Inc. does not appear to have ever provided service to Missouri customers. This statement is supported by the fact that the Commission never assessed Norstar Communications, Inc. d/b/a Business Savings Plan, Inc. for an amount other than \$0.00. The company failed to submit annual reports for Calendar Years 2003 and 2004, and ceased providing Statements of Revenue after Fiscal Year 2004. In communications from the company prior to the time when it ceased providing information to the Commission, all indications were that the company had no customers.

6. Because Norstar Communications, Inc. d/b/a Business Savings Plan, Inc. no longer has authority to transact business in Missouri, because it does not provide telecommunications service in Missouri, and because it has apparently ceased to exist and cannot be contacted, the Staff recommends that the Commission issue an order canceling Norstar Communications, Inc. d/b/a Business Savings Plan, Inc.'s certificate and tariff.

7. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo. (Supp. 2004), 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. This pleading is being served both on the address provided by the company to the Commission in its tariff filing and a different address reflected by the Commission's Electronic Information and Filing System, as well as upon its Missouri registered agent.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority granted Norstar Communications, Inc. d/b/a Business Savings Plan, Inc. to provide interexchange telecommunications services, as well as its accompanying tariff, P.S.C. Mo. No. 1.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ **David A. Meyer**

David A. Meyer
Senior Counsel
Missouri Bar No. 46620

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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 11th day of July 2005.

/s/ David A. Meyer

Office of the Public Counsel
Governor Office Building, Suite 650
200 Madison Street
P. O. Box 7800
Jefferson City, MO 65102

Norstar Communications, Inc. d/b/a Business
Savings Plan, Inc.
P. O. Box 50936
Irvine, CA 92619

Norstar Communications, Inc. d/b/a Business
Savings Plan, Inc.
5862 Bolsa Ave., Suite 103
Huntington Beach, California 92649

John L. Hearne
Registered Agent for
Universal Broadband Communications, Inc.
d/b/a Business Savings Plan
300-B East High Street
Jefferson City, MO 65101
(via certified mail)

Missouri Public Service Comm.

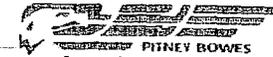
Administration Division
P.O. Box 360
Jefferson City, Missouri 65102

MO 419-2629 (4-01)

MO. P.S.C.

BUS1930 920192033 1A03 40 01/21/05
RETURN TO SENDER
: BUSINESS SAVINGPLAN
BOX CLOSED
UNABLE TO FORWARD
RETURN TO SENDER

POSTAGE



\$00.37⁰

350512 JAN 14 2005
D FROM ZIP CODE 65101



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F405

RECEIVED

JAN 25 2005

Official Representative
Assessment Coordinator
Business Savings Plan Inc.
P.O. Box 50936
Irvine, CA 92619

BUDGET & FISCAL SVCS

Parent:
Norstar Communications

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65102-0360

