

**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 Discount )  
Network Services, 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 1997, the Missouri Public Service Commission (Commission) issued its order in Case No. TA-97-252, granting Discount Network Services, Inc. a certificate of service authority to provide intrastate interexchange telecommunications services. The Commission also approved the company's tariff, P.S.C. MO. 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of State reports that the certificate of authority granted to Discount Network Services, Inc., a Michigan corporation, was revoked August 28, 2000 because the company failed to file its Annual Registration Report.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 corporation remains active in its native state of Michigan.

3. According to the most recent filing available at the Missouri Secretary of State, Thomas Corrigan is a member of the Board of Directors of Discount Network Services, Inc. Counsel for Staff contacted the company regarding its certificate and status in Missouri and Mr. Corrigan responded with the letter attached as Appendix A. In that letter, Mr. Corrigan has requested the cancellation of its certificate of service authority.

4. Prior to Fiscal Year 2006, the company had submitted statements of revenue and paid its assessments. For Fiscal Year 2006, the Commission estimated a minimal amount as an assessment, which the company has not paid. Likewise, prior to Calendar Year 2004 the company has always submitted timely annual reports. However, as the company now seeks to cancel its certificate and no longer has any customers, the company has not submitted one for that year.

5. No customers have contacted the Commission with complaints about NorVergence, Inc., since the commencement of the Commission's EFIS system.

6. Because Discount Network Services, Inc. no longer has authority to do business in the state of Missouri, because the Staff has received a letter from a member of the corporation's board of directors requesting cancellation of its certificate, and because it is no longer providing telecommunications service in Missouri, the Staff recommends that the Commission issue an order canceling Discount Network Services, 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 as the current, accurate address via certified mail, as well as upon its Missouri registered agent.

**WHEREFORE**, the Staff recommends the Commission cancel the certificate of service authority granted Discount Network Services, Inc. to provide interexchange telecommunications services, as well as its accompanying tariff, P.S.C. MO. TARIFF No. 1.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ David A. Meyer**

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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 27<sup>th</sup> day of July 2005.

**/s/ David A. Meyer**

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200 Madison Street  
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Discount Network Services, Inc.  
P. O. Box 40659  
Detroit, MI 48240  
**(via certified mail)**

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**DISCOUNT  
NETWORK  
SERVICES, INC.  
P.O. BOX 40659  
DETROIT, MI 48240**

**800 860 6001  
FAX 800 860 4544**

**Monday, July 18, 2005**

**Missouri Public Service Commission  
David Meyer, Esq.  
Post Office Box 360  
Jefferson City, Missouri 65102**

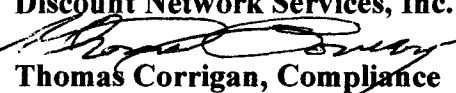
**Re: Cancellation of certificate**

**Dear Attorney Meyer;**

**Discount Network Services is kind of just dyeing out and we have gone on to other ventures. I am told that we no longer have any customers in Missouri.**

**Accordingly, yes we agree, that the best thing at this point in time is for you to cancel our certificate.**

**Thank you for your assistance.**

**Sincerely,  
Discount Network Services, Inc.  
  
Thomas Corrigan, Compliance**