

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

In the Matter of the Cancellation of the)		
Certificate of Service Authority and)		<u>File No. XD-2016-</u>
Tariff of Chariton Valley L.D. Corp.)		Tariff No. JX-2003-0421

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

COMES NOW the Staff of the Missouri Public Service Commission and moves for the Missouri Public Service Commission (Commission) to cancel the certificate of interexchange service authority in Missouri of Chariton Valley L.D. Corp. ("the Company") and states as follows:

1. On May 28, 1996, the Commission granted a certificate of interexchange service authority to the Company in Case No. TA-96-314. It has an existing approved tariff, JX-2003-0421.

2. On December 23, 2015, the Company notified the Commission that it no longer wished to retain its certification to provide interexchange telecommunications services in Missouri (see the attached).

3. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo 2000, which provides "[a]ny 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."

4. 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. W.D. 1989).

WHEREFORE, the Staff respectfully recommends the Commission cancel the certificate of service authority to provide interexchange telecommunications service in Missouri and the tariff of Chariton Valley L.D. Corp.

Respectfully submitted,



Colleen M. Dale
Senior Counsel
Missouri Bar No. 31624
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-4255 (Telephone)
cully.dale@psc.mo.gov

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 11th day of January, 2016.



From: [Luebbert, Jessica](#)
To: [Luebbert, Jessica](#)
Subject: FW: Termination of Authorities and Tariffs of Chariton Valley L.D. Corp.
Date: Monday, January 11, 2016 9:52:41 AM
Attachments: [15.12.2 Cert Merger eff Dec 31.pdf](#)
[15.12.4 FILED FCC notice, slamming letter.pdf](#)

From: Craig Johnson [<mailto:cj@cjaslaw.com>]
Sent: Wednesday, December 23, 2015 8:48 AM
To: Dale, Cully
Cc: Jim Simon
Subject: Termination of Authorities and Tariffs of Chariton Valley L.D. Corp.

Cully

As we discussed, Chariton Valley asks that Staff request the MoPSC to terminate all certificates of authority and tariffs of Chariton Valley L.D. Corp. effective January 1, 2016.

Chariton Valley LD and Chariton Valley Telecom Corp entered into a merger whereby CVLD would be merged into CV Telecom Corporation, the surviving corporation.

On November 5, 2015 all CVLD customers were notified of the merger, and that, unless a change in carriers was requested, CV Telecom would replace CVLD as the customers' long distance provider. A copy of that notice is in the attached filing made with the FCC.

On December 2, 2015, the MoSOS issued the attached certificate of merger of CV LD Corp into Chariton Valley Telecom Corporation, effective December 31, 2015.

In MoPSC tariff tracking numbers JC-2016-0112 and JC-2016-0133 Chariton Valley Telecom adopted tariff changes to accomplish extension of service to the customers.

I believe all steps have now been completed, and it would be appropriate to terminate CVLD certificates of authority and tariffs effective January 1, 2016.

Let me know if any questions or further explanations would be useful.

Craig S. Johnson
Johnson & Sporleder, LLP
2420 Hyde Park Road, Suite C
Jefferson City, MO 65109
(573) 659-8734
(573) 761-3587 FAX
cj@cjaslaw.com

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HERMAN & WHITEAKER, LLC

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TEL 202-600-7272

FAX 202-706-6056

6720-B Rockledge Drive, Suite 150
Bethesda, MD 20817

VIA ECFS

December 4, 2015

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**RE: CC Docket No. 00-257 – Notification Pursuant to 47 C.F.R. § 64.1120(e)
for Chariton Valley Telecom Corporation and Chariton Valley Long
Distance**

Dear Secretary Dortch:

Pursuant to 47 C.F.R. § 64.1120(e), Chariton Valley Telecom Corporation (“TCOM”) hereby notifies the Federal Communications Commission (“FCC” or “Commission”) that effective January 4, 2016, TCOM’s affiliate, Chariton Valley L. D. Corporation (“CVLD”) will merge with and into TCOM and the CVLD subscribers will transfer to TCOM.

CVLD provides intrastate, interstate, and international long distance services (“LD Services”) to subscribers. As a result of the merger, all LD Services previously provided by CVLD will be provided by TCOM.

TCOM hereby certifies that it has complied with the requirement to provide advance notice to the affected CVLD subscribers in accordance with 47 C.F.R. § 64.1120(e)(3) and with the other statutory and Commission requirements that apply to this streamlined process. Please see the attached certification.

A copy of the notice sent to the affected subscribers is attached.

Please contact the undersigned counsel if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. Whiteaker', followed by a long horizontal flourish.

Gregory W. Whiteaker
*Counsel for Chariton Valley Telecom
Corporation*

Attachment

November 5th, 2015

Dear Customer,

We are writing to notify you of the merger of Chariton Valley L.D. Corporation (“CVLD”), your provider of intrastate, interstate, and/or international long distance services, into its affiliate, Chariton Valley Telecom Corporation (“TCOM”). The merger will become effective on January 1, 2016 (the “Merger Date”).

On or after the Merger Date TCOM will replace CVLD as your long distance services provider, and TCOM will assume responsibility for all long distance services previously provided to you by CVLD. Please be assured that the merger and the transfer to TCOM as your provider of long distance services will not interrupt your services or change the rates, terms, and conditions of the services you currently receive. If, in the future, there are any changes to the rates, terms, and conditions of your services, TCOM will notify you by mail.

Unless you elect to use a long distance service provider other than CVLD prior to the Merger Date, TCOM will automatically become your long distance services provider for any long distance services you currently receive from CVLD. TCOM will not impose any charges for the transfer of your long distance services to TCOM and no action is required from you to continue your long distance services with TCOM. If you have arranged for a preferred carrier freeze to block changes to your long distance providers for any of the long distance services involved in this transfer, the freeze will be removed in order to transfer your services to TCOM. If you wish to reinstate a preferred carrier freeze after the transfer, please contact TCOM at 660-395-9635.

You always have the right to select a different service provider for your long distance services. If you choose to switch to an alternative long distance services provider, you may incur a fee from that alternate provider for the transfer of services to that provider. If you currently subscribe to a bundled, one-rate local and long distance service plan provided by TCOM that includes long distances services from CVLD, any switch to an alternate long distance services provider may result in the loss of your bundled service rate from TCOM.

TCOM will be responsible for any questions and complaints that may arise prior to, during, and after the merger for CVLD and TCOM services. Please contact TCOM toll free at 877-695-8088 if you have any questions or complaints.

Chariton Valley Telecom Corporation looks forward to continuing to provide you with quality service for many years to come.

Sincerely,

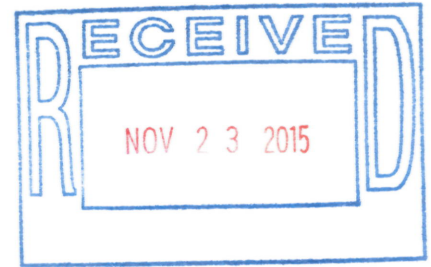
Chariton Valley L.D. Corporation
Chariton Valley Telecom Corporation



Jason Kander
Secretary of State
State of Missouri

ORDER SUMMARY

November 20, 2015



Order No: 10579152

Order Date: 11/18/2015 03:48 PM

Primary Filer: JAMES SIMON
CHARITON VALLEY GM 1213 E BRIGGS DR
MACON MO 63552

TOTAL DUE: \$0.00

Product Description	Ship Via	Qty	Pgs	Unit	Extended	Amt Due
Merger - For Profit (D)	Mail	1	3	\$30.00	\$30.00	\$0.00

Regarding Entity: CHARITON VALLEY TELECOM CORPORATION
Item No: ORI-11182015-2035

Order Total:	\$30.00	\$0.00
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Payer	Type	Method	Reference	Amount
Johnson & Sporleder LLP	Payment	Check	2385	\$30.00
Total Payments:				\$30.00

Convenience fees are not assessed, collected or retained by the state.

Any questions about your order? Please visit www.sos.mo.gov/business or call toll free (866) 223-6535.

STATE OF MISSOURI



Jason Kander
Secretary of State

CERTIFICATE OF MERGER MISSOURI ENTITY SURVIVING

WHEREAS, Articles of Merger of the following entities:

CHARITON VALLEY L.D. CORP. -- 00420594

INTO:

CHARITON VALLEY TELECOM CORPORATION -- 00500876

organized and existing under the laws of Missouri have been received, found to conform to law, and filed.

NOW, THEREFORE, I, JASON KANDER, Secretary of State of the State of Missouri, issue this Certificate of Merger, certifying that the merger of the aforementioned entities is effected, with

CHARITON VALLEY TELECOM CORPORATION -- 00500876

as the surviving entity.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 16th day of November, 2015.

Effective Date: December 31, 2015


Secretary of State





State of Missouri

Jason Kander, Secretary of State

Corporations Division
PO Box 778 / 600 W. Main St., Rm. 322
Jefferson City, MO 65102

00500876
Date Filed: 11/16/2015
Effective: 12/31/2015
Jason Kander
Missouri Secretary of State

Summary Articles of Merger

(Section 351.430.2., RSMo)
(Submit with filing fee of \$30.00)

Pursuant to the provisions of The General and Business Corporation Law of Missouri, the undersigned corporations certify the following:

1. The constituent corporations are:

Chariton Valley Telecom Corporation

00500876

of Missouri

Name of Corporation

Missouri Charter #

Parent State

Chariton Valley L.D. Corp.

00420594

of Missouri

Name of Corporation

Missouri Charter #

Parent State

2. A plan of merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations as required by Chapter 351, RSMo.);

3. The name of the surviving corporation is Chariton Valley Telecom Corporation of Missouri;
Name of Corporation Parent State

4. Check one of the following:

☐ The merger has effected amendments or changes in the articles of the surviving corporation and those are attached to this summary. (Please attach amendments.)

☒ There are no amendments or changes to the articles of the surviving corporation, and the articles of the surviving corporation shall be the articles of incorporation.

5. The executed plan of merger is on file at the principal place of business of the surviving corporation at
1213 East Briggs Drive, Macon, Missouri 63552

street, city, state and zip

6. A copy of a plan of merger will be furnished by the surviving corporation, on request and without cost, to any shareholder of any constituent corporation.

7. The effective date of this document is the date it is filed by the Secretary of State of Missouri unless a future date is otherwise indicated: December 31, 2015 is to be the effective date

(Date may not be more than 90 days after the filing date in this office)

(Please see next page)

Name and address to return filed document:

Name: James Simon, Chariton Valley GM

Address: 1213 E. Briggs Dr

City, State, and Zip Code: Macon, Mo 63552

ORI-11182015-2035 State of Missouri
No of Pages 3 Pages



Merger - For Profit (D)

To be completed only if surviving corporation is a foreign corporation.

8. If the surviving corporation is a foreign corporation, it is agreed that, upon and after the issuance of a certificate of merger by the Secretary of State of the State of Missouri:

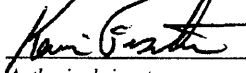
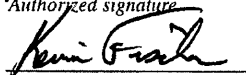
- a. The surviving corporation may be served with process in the State of Missouri in any proceeding for the enforcement of any obligation of any corporation organized under the laws of the State of Missouri which is party to the merger and in any proceeding for the enforcement of the rights of a dissenting shareholder of any such corporation organized under the laws of the State of Missouri against the surviving corporation;
- b. The Secretary of State of the State of Missouri shall be and hereby is irrevocably appointed as the agent of the surviving corporation to accept service of process in any such proceeding; the address to which the service of process in any such proceeding

shall be mailed is _____

- c. The surviving corporation will promptly pay to the dissenting shareholders of any corporation organized under the laws of the State of Missouri which is a party to the merger the amount, if any, to which they shall be entitled under the provisions of "The General and Business Corporation Law of Missouri" with respect to the rights of dissenting shareholders.

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

	Kevin Fischer	President CVLD Corp	7-20-2015
Authorized signature	Printed Name	Title	Date
	Kevin Fischer	President CV Telecom Corp	7-20-2015
Authorized signature	Printed Name	Title	Date
_____ Authorized signature	_____ Printed Name	_____ Title	_____ Date

TAXATION DIVISION
P O BOX 3666
JEFFERSON CITY MO 65105-3666



Missouri
DEPARTMENT OF REVENUE

Telephone: (573) 751-9268
Fax: (573) 522-1265
E-mail: taxclearance@dor.mo.gov

CERTIFICATE OF TAX CLEARANCE

CHARITON VALLEY L.D. CORP
PO BOX 67, 1213 E BRIGGS DR
MACON MO 63552

DATE: NOVEMBER 10, 2015

MISSOURI CORPORATION CHARTER NUMBER: 00420594

Thank you for contacting the Missouri Department of Revenue. In response to the corporation's request, a review of the tax records has been completed. All taxes owed, including all liabilities owed as determined by the Division of Employment Security, pursuant to Chapter 288, RSMo, have been paid.

This statement is not to be construed as limiting the authority of the Director of Revenue to pursue collection of liabilities resulting from final litigation, default in payment of any installment agreement entered into with the Director of Revenue, any successor liability that may become due in the future, or audits or reviews of the taxpayer's records as provided by law.

This Certificate of Tax Clearance must be presented to the Missouri Secretary of State's Office with any required paperwork and payment. For information concerning the Secretary of State's requirements, you may call their office at (573) 751-4153 or toll free at (866) 223-6535.

If you require additional information or assistance, please contact the Taxation Division at Post Office Box 3666, Jefferson City, Missouri 65105-3666 or by telephone at (573) 751-9268 during the hours of 8:00 a.m. to 5:00 p.m.

THIS CERTIFICATE REMAINS VALID FOR SIXTY (60) DAYS FROM THE ISSUANCE DATE. If you do not complete your transaction in sixty (60) days you must obtain a new Certificate of Tax Clearance. Additionally, a new Form 943, Request for Tax Clearance, may be required.

Sincerely,

A handwritten signature in cursive script that reads "Dwayne Maples".

Dwayne Maples
Administrator, Business Tax
Taxation Division

SL:DU0306

CBN001
201531400300438