

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)
A.B.T.S. International Corp., d/b/a Intelnet.) **Case No. XD-2006-0008**

ORDER CANCELLING CERTIFICATE AND TARIFF
AND CLOSING CASE

Issue Date: July 12, 2005

Effective Date: July 22, 2005

This order cancels the certificate of service authority and tariffs of A.B.T.S. International Corporation, doing business as Intelnet.

On July 11, 2005, the Staff of the Missouri Public Service Commission moved to cancel the certificate of service authority and tariffs of A.B.T.S. International Corporation, doing business as Intelnet. In support thereof, Staff states that this Commission granted Intelnet, a New Jersey corporation, a certificate of service authority to provide interexchange telecommunications services on April 2, 1996, in Case No. TA-96-282. In the same case, the Commission approved Intelnet's tariff, P.S.C. Mo. No. 1.

Staff further states that the web site of the Office of the Missouri Secretary of State reports that the certificate of authority granted to "A.B.T.S. International Corp.," was withdrawn on December 22, 1998. 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 company has registered the fictitious name "Intelnet" and that name requires no additional filings with the Secretary of State. Staff also states that Intelnet's mail has been returned by the post office as

undeliverable. The mail had been sent to the address provided to the Commission by the company. According to the Commission's records, Intelnet has never submitted annual reports to this Commission since receiving its certificate in 1996. Staff states that Intelnet does not owe any Commission assessments. Staff states, "For reasons that are unclear, it is possible this company did not receive communications from the Commission for a number of years and was not listed as an active company in the Commission's databases."

Staff contends that Intelnet has violated the terms of its certificate by its failure to keep the Commission informed of its current address and its failure to file annual reports. Section 392.210(2), RSMo 2000, states, "The commission shall at all times have access to all accounts, records and memoranda kept by telecommunications companies" Because Intelnet has failed to keep the Commission informed of a current address, the Commission is unable to contact Intelnet. Therefore, Staff argues, Intelnet has denied the Commission access that is required of the Commission under Section 392.210 (2), RSMo 2000. Certainly, Intelnet has denied the Commission its ability to supervise telecommunications operations and services as statutorily mandated under Section 386.250, RSMo 2000. For these reasons, Staff urges the Commission to cancel Intelnet's certificate and tariff.

The Commission concurs that Intelnet has violated the terms of its certificate and will grant the requested relief and cancel Intelnet's certificate and tariff.

IT IS THEREFORE ORDERED:

1. That the Motion to Open Case and Cancel Certificate of Service Authority and Tariff, filed on July 11, 2005, by the Staff of the Missouri Public Service Commission, is granted.

2. That the certificate of service authority granted to A.B.T.S. International Corporation, doing business as Intelnet, on April 2, 1996, in Case No. TA-96-282, is cancelled.

3. That the tariff of A.B.T.S. International Corporation, doing business as Intelnet, approved on April 2, 1996, in Case No. TA-96-282, is cancelled.

4. That this order shall become effective on July 22, 2005.

5. That this case may be closed on July 23, 2005.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Kevin A. Thompson, Deputy Chief
Regulatory Law Judge, by delegation
of authority pursuant to Section 386.240,
RSMo 2000.

Dated at Jefferson City, Missouri,
on this 12th day of July, 2005.