

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the Certificate)	
of Authority and Accompanying Tariff of Universal)	<u>Case No. XD-2006-0007</u>
Broadband Communications, Inc. d/b/a Business)	
Savings Plan.)	

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 Universal Broadband Communications, Inc., doing business as Business Savings Plan.

On July 11, 2005, the Staff of the Missouri Public Service Commission moved to cancel the certificate of service authority and tariffs of Universal Broadband Communications, Inc., doing business as Business Savings Plan. In support thereof, Staff states that this Commission granted Universal Broadband, a Nevada corporation, a certificate of service authority to provide interexchange telecommunications services in April 2002 in Case No. TA-2002-439. In the same case, the Commission approved Universal Broadband's tariff, P.S.C. Mo. Tariff 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the Office of the Missouri Secretary of State reports that the certificate of authority granted to Universal Broadband was revoked on February 19, 2004, because the company failed to file its Annual Registration Report. Staff notes that 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” 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.

In further support of its Motion, Staff states that mail sent to the address provided by the company has been returned to the Commission as undeliverable. Counsel for Staff has attempted to contact the company using the telephone number provided to the Commission, but that telephone number now is a customer service number for another company regulated by the Commission. The operator on the line indicated that Universal Broadband had ceased operations and that the entity itself had been acquired by the new company.¹ However, at the time of the acquisition, Universal Broadband had no Missouri customers and the Commission never assessed Universal Broadband for an amount other than \$0.00. Staff further states that Universal Broadband has not filed an annual report since receiving its certificate.

Staff recommends that, because Universal Broadband 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 Commission issue an order canceling Universal Broadband’s certificate and tariff.

Based upon the foregoing, the Commission will grant the requested relief and cancel Universal Broadband's certificate and tariff.

¹ Staff does not identify this other company in its filing.

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 Universal Broadband Communications, Inc., doing business as Business Savings Plan, in April 2002 in Case No. TA-2002-439, is cancelled.
3. That the tariff of Universal Broadband Communications, Inc., doing business as Business Savings Plan, approved in April 2002 in Case No. TA-2002-439, 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



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.