

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. CD-2014-0139</u>
Associated Tariff of Net Talk.com, Inc. to)	Tracking No. YC-2011-0484
Provide Basic Local Telecommunications)	
Services in the State of Missouri)	

ORDER CANCELING CERTIFICATE AND ACCOMPANYING TARIFF

Issue Date: February 13, 2014

Effective Date: February 25, 2014

On February 14, 2011, Net Talk.com, Inc. ("Net Talk.com") was granted a certificate of service authority to provide intrastate interexchange telecommunications services in the State of Missouri in File No. TA-2011-0139.

Pursuant to Section 392.210.1, RSMo (2000) every telecommunication company is required to file an annual report with the Commission. Commission Rule 4 CSR 240-3.540(1) requires the annual report be filed no later than the 15th of April. Net Talk.com failed to file an annual report for calendar years 2011 and 2012 with the Commission.

On November 14, 2013, the Staff of the Missouri Public Service Commission filed a motion requesting Net Talk.com's certificate of service authority and associated tariff (Tracking No. YC-2011-0484) be cancelled due to Net Talk.com's failure to file a 2012 Annual Report. Staff also requested Net Talk.com be ordered to notify the Commission upon completion of the transfer of its customers to other providers.

The Commission has the authority to cancel a certificate and tariff pursuant to Section 392.410.5, RSMo Cum.Supp.2012, which states, in part, “[a]ny certificate or 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.”

On November 14, 2013, the Commission issued an *Order Directing Notice* allowing any party to file an objection or request a hearing no later than December 16, 2013. No objections or requests for a hearing were filed. The Commission need not hold a hearing, if, after proper notice and opportunity to intervene, no party requests such a hearing.¹

Based on Staff’s motion, the Commission shall cancel the certificate of service authority and accompanying tariff granted to Net Talk.com. Net Talk.com will be ordered to notify the Commission once the transfer of its customers to another provider is completed.

THE COMMISSION ORDERS THAT:

1. The certificate of authority to provide intrastate interexchange telecommunications services in the State of Missouri, granted to Net Talk.com, Inc. in File No. TA-2011-0166 is cancelled.
2. Net Talk.com, Inc.’s tariff, P.S.C. MO No. 1, is cancelled.
3. Net Talk.com, Inc. shall provide written notice to the Staff of the Commission upon completing the transfer of company’s existing customers to other providers.
4. This order shall become effective on February 25, 2014.

¹ *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

5. This file may be closed on February 28, 2014.

BY THE COMMISSION



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Kim S. Burton, Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri
on this 13th day of February, 2014.