Telecommunications
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October 7, 2004

Via Overnight Courier

Secretary of the Commission c/o Data Center Missouri Public Service Commission 200 Madison Avenue Governor Office Building Jefferson City, Missouri 65101 **FILED**³

OCT 0 8 2004

Missouri Public Service Commission

Re: In the Matter of the Application of Buyers United, Inc. d/b/a United Carrier Networks to Cancel its Certificate of Service Authority and Tariffs in the State of Missouri

Ladies and Gentlemen:

On behalf of Buyers United, Inc. d/b/a United Carrier Networks ("BUI"), transmitted herewith is an original plus fourteen (14) copies of its Application to Cancels its Certificate of Service Authority and Tariffs in the State of Missouri. Pursuant to Commission rules, copies of this filing are also being served upon the Office of the Public Counsel and the General Counsel of the Missouri Public Service Commission.

An additional copy of this filing is also enclosed, to be date-stamped and returned in the postage-prepaid envelope provided.

Should there be any questions regarding this matter, kindly contact the undersigned.

Respectfully submitted

Charles H. Helein

Missouri Bar No. 18227 Regulatory Counsel

FILED³

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Missouri Public Service Commission

In the Matter of the Application of)		
Buyers United, Inc., d/b/a)		
United Carrier Networks)		
To Cancel its Certificate of Service)	Case No	
Authority and Tariffs in the State of Missouri	j		

APPLICATION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY AND TARIFFS

COMES NOW Buyers United, Inc., d/b/a United Carrier Networks ("Buyers d/b/a UCN"), through its undersigned counsel, and pursuant to 4 CSR 240-2.060 and § 392.410(5), RSMo 2000, respectfully requests the Missouri Public Service Commission ("Commission") cancel its Certificate of Service Authority and Tariff. In support of its Application, Buyers d/b/a UCN states as follows:

- 1. United Carrier Networks ("UCN") is one of two d/b/a names previously used in the marketing of telecommunications services provided by Buyers United, Inc., a Delaware corporation with its principal offices located at 14870 South Pony Express Road, Bluffdale, UT 84065. The other d/b/a name was "buyersonline."
- 2. The Commission issued Buyers d/b/a UCN a Certificate of Service Authority to provide intrastate interexchange telecommunications services within the state of Missouri in Case No. XA-2003-0554.
- 3. Buyers d/b/a UCN's certificate of authority to do business from the Missouri secretary of state was provided in Case No. XA-2003-0554. Pursuant to 4 CSR 240-2.060(G), Buyers d/b/a UCN requests that the certificate and registration be incorporated by reference herein.

- 4. Buyers d/b/a UCN is the second of two entities licensed by the Commission to provide interexchange and nonswitched local exchange telecommunications services. The other is Buyers United, d/b/a buyersonline, which obtained its license in Case No. XN-2003-0450.
- 5. A corporate name change was approved by Buyers United, Inc.'s Board of Directors and became effective July 15, 2004. The new name of the company is UCN, Inc.
- 6. UCN, Inc. (f/k/a Buyers United) notified its customers of the name change and filed paperwork with the Secretary of State ("SoS") to amend its Certificate of Authority to transact business in Missouri. The SoS approved the amendment on August 23, 2004.
- 7. On September 21, 2004, UCN, Inc. (f/k/a Buyers United) filed an Application for Recognition of Name Change and Approval of Tariff Revisions in order to change the name on the first of its Certificates of Service Authority from Buyers United, Inc., d/b/a buyersonline to UCN, Inc. The Application was filed in relation to Case No. XN-2003-0450.
- 8. Upon approval of the name change, UCN, Inc. will no longer require two separate Certificates of Service Authority in Missouri. The only reason two separate licenses were obtained in the first instance was due to Commission rules limiting a carrier's ability to operate with more than one fictitious name pursuant to a single license. The second license issued to Buyers d/b/a UCN is now unnecessary.
- 9. Wherefore, UCN, Inc. (f/k/a Buyers United) respectfully requests cancellation of the Certificate of Service Authority issued in Case No. XA-2003-0554 and cancellation of the tariff in File No. YX-2003-2187
- 10. Buyers d/b/a UCN does not have any pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years

of the date of the application. Buyers d/b/a UCN does not, to the best of its knowledge, have any overdue annual reports or assessment fees.

Contact Information

11. All communications, correspondence, and pleadings in regard to this application should be directed to Applicant's Regulatory Counsel at the following contact information:

Charles H. Helein c/o Jonathan S. Marashlian The Helein Law Group, LLP 8180 Greensboro Drive, Suite 700 McLean, Virginia 22102 Tel: 703-714-1313

Fax: 703-714-1330

E-mail: jsm@thlglaw.com

Public Interest

12. Cancellation of Buyers d/b/a UCN's Certificate of Service Authority and tariff is not detrimental to the public interest. The public will not be harmed by Buyers d/b/a UCN's withdrawal because, as stated above, UCN, Inc., the corporate entity responsible for providing telecommunications services, will retain the Commission authority issued in Case No. XN-2003-0450 to continue providing services.

Conclusion

WHEREFORE, Buyers d/b/a UCN respectfully requests the Commission to issue an order canceling its certificate of service authority and tariff and granting such other relief as is reasonable in the circumstances.

Respectfully submitted,

Charles H. Helein

MSN 18227

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Email: chh@thlglaw.com

Date: October <u>5</u>, 2004.

VERIFICATION

State of Utah) State of Utah) ss. County of Sult Luke)			
I, Kimm Partridge, Secretary, being	duly aff	firmed according to law, depose and say that I	
am authorized to make this affidavit on b	ehalf c	of Buyers United, Inc., d/b/a United Carrier	
Networks and that the facts above set forth are true and correct to the best of my knowledge,			
information and belief.	Sign:	Kenn Partudge	
	Ву:	Kimm Partridge	
	Title:	Secretary	
Subscribed and affirmed to before me this and affirmed to be affirmed t	day	NOTARY PUBLIC STATE OF UTAH My Commission Expires February 20, 2008 KENNA J. 8MITH 14870 Pony Express Road Bluffdale, Utah 84955	

My commission expires on the 20 day of February 2002.

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been mailed, First class, postage prepaid this The day of October, 2004, to:

Office of the Public Counsel P.O. Box 7800 Jefferson City, MO 65102

Dana K. Joyce General Counsel Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102

Suzanne Rafalko