

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Surrender of the Certificate of) **Case No. CD-2005-0301**
Service Authority for Magnus Communications, Inc.)

ORDER CANCELING CERTIFICATE

This order cancels the certificate of service authority to provide basic local telecommunications services granted to Magnus Communications, Inc.

On March 10, 2005, Magnus filed a Surrender of Certificate of Service Authority requesting that its certificate be canceled as of the end of calendar year 2005. Magnus' President, Eugene Magnus, certified that the company has no Missouri customers. Magnus was granted a certificate of service authority to provide basic local telecommunications services in the state of Missouri on May 16, 2002, in Case No. TA-2002-396.¹

The Staff of the Missouri Public Service Commission filed its recommendation on March 28, 2005. Staff stated that Magnus owes no assessment fees or annual reports and has no other matters pending before the Commission. Staff also stated that Magnus does not have a tariff on file with the Commission despite a requirement to do so before operating in Missouri.

The Commission has the authority to cancel a telecommunications corporation certificate under Section 392.410.5, which states, "Any certificate of service authority may be altered or modified by the commission after notice and hearing, upon its own motion or

¹ Magnus' pleading incorrectly states that it was granted authority in Case No. T-99-251.

upon application of the person or company affected.” Since no one has requested a hearing in this case, the Commission may grant the relief requested based on the application.

The Commission has reviewed the application and its official files and finds that it is reasonable to cancel Magnus’ certificate. Magnus has no Missouri customers and no tariff currently in effect in the state, and therefore, the Commission determines that it is in the public interest to cancel Magnus’ certificate effective ten days from the issuance of this order rather than at the end of the calendar year as requested.²

IT IS THEREFORE ORDERED:

1. That the certificate of service authority granted in Case No. TA-2002-396 to Magnus Communications, Inc., is canceled.
2. That this order will become effective on May 9, 2005.
3. That this case may be closed on May 10, 2005.

BY THE COMMISSION

(S E A L)

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Nancy Dippell, Senior Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 29th day of April, 2005.

² Any allegations of violations of Commission orders or the laws of the state of Missouri are not issues to be addressed in this case.