

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of Cancellation of the Certificate of	)	
Service Authority and Associated Tariff of Call One,	)	
Inc. to Provide Basic Local Exchange, Non-	)	
Switched Local Exchange and Interexchange	)	<b>File No. LD-2014-_____</b>
Telecommunications Services in the State of	)	
Missouri	)	

**MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY  
AND ASSOCIATED TARIFF**

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff"), by and through the undersigned counsel, and moves for the Missouri Public Service Commission ("Commission") to cancel the certificate of service authority and associated tariff of Call One, Inc. ("Company"). For its Motion, Staff respectfully states as follows:

1. On March 7, 2011, the Commission granted a certificate of service authority to United Communications Systems, Inc. d/b/a Call One, Inc. to provide basic local exchange, non-switched local exchange, and interexchange telecommunications services in the State of Missouri in Case No. LA-2011-0230.

2. The Commission's Order granting Call One, Inc. its certificate reminded the Company of its obligation to file an annual report pursuant to Section 392.210, RSMo.

3. On May 11, 2012, United Communications Systems, Inc. d/b/a Call One filed a notice of name change in Case No. LN-2012-0371 and tariff sheets assigned Tracking Numbers YL-2012-0564 and YL-2012-0565, requesting the Commission issue an ordering recognizing a company name change to Call One, Inc.

4. On May 21, 2012, the Commission issued an *Order Recognizing Name Change* in Case No. LN-2012-0371.

5. Section 392.210.1 RSMo (2000) requires every telecommunications company to "...file with the commission an annual report at a time and covering the yearly period fixed by the commission," and Rule 4 CSR 240-3.540(1) requires the report to be filed on or before April 15<sup>th</sup> of each year.

6. At the time of this filing, the Company has not submitted its calendar year 2012 annual report.

7. Despite Staff's attempt to contact Call One, Inc., the Company has continued to be delinquent in the filing of its calendar year 2012 annual report.

8. Due to the Company's continued neglect of the Commission's statutes, rules and orders, Staff moves for the Commission to cancel Call One Inc.'s certificate of service authority and associated tariff.

9. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo 2000, which provides "[a]ny certificate of 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."

10. The Commission need not hold a hearing if, after proper notice and opportunity to intervene, no party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

11. If the Commission cancels Call One Inc.'s certificate of service authority, the Staff also recommends the Commission order the Company to provide notice to the Commission when transfer of its customers to another provider is complete.

**WHEREFORE**, Staff respectfully recommends the Commission give notice to Call One, Inc., as required by law, and after the opportunity for hearing cancel their certificate of service authority and associated tariff to provide basic local exchange, non-switched local exchange, and interexchange telecommunications services in the State of Missouri. Staff further requests the Commission require the Company to notify the Commission when transfer of customers to another provider is complete.

Respectfully submitted,

**/s/ Whitney Hampton**

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### **CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing was mailed, electronically mailed, or hand-delivered to all parties to this cause on this 24<sup>th</sup> day of October, 2013.

**/s/ Whitney Hampton**