BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the)	
Certificate of Service Authority and)	File No. LD-2010-
Accompanying Tariff of Camarato Distributing)	
Inc.)	

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY AND ACCOMPANYING TARIFF

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through the undersigned counsel, and respectfully moves that the Missouri Public Service Commission ("Commission") cancel the certificate of service authority and accompanying tariff of Camarato Distributing Inc. ("Camarato" or "Company"). In support of its *Motion*, Staff states the following:

- 1. On May 20, 1999, the Commission issued an *Order*¹, which granted Camarato a certificate of service authority to provide basic local and interexchange telecommunications services.
- 2. Camarato is a registered Illinois corporation located at 2400 McGinnis, Herrin, Illinois, Williamson County. According to the Illinois Secretary of State, Camarato is currently "active." On December 2, 2004, Camarato was administratively dissolved by the Missouri Secretary of State for failing to file an annual report. The last annual report filed with the Missouri Secretary of State was in June 2003.

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¹ See Order Granting Certificate To Provide Basic Local and Interexchange Telecommunications Services, Issued May 20, 1999, Commission Case TA-99-152.

- 3. Camarato is deficient in the filing of the Company's calendar year 2007 and 2008 annual reports. On June 18, 2009, the Commission in Case No. TC-2009-0369 authorized its General Counsel to bring a penalty action in Circuit Court against Camarato for the Company's failure to file the 2007 annual report.
- 4. Camarato is deficient in the payment of the Company's fiscal year 2009 assessment in the amount of \$4.41, and the 2010 assessment in the amount of \$33.41.
- 5. To the best of Staff's knowledge, information and belief, Camarato is no longer providing telecommunication services in Missouri.
- 6. Pursuant to Section 392.410.5 RSMo (Supp. 2008) the Commission has the authority to cancel the certificate of service authority of a telecommunications corporation after notice and hearing.
- 7. A hearing is not necessary if the Commission gives proper notice and opportunity to intervene and no party requests such a hearing. *State ex rel. Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

WHEREFORE, the Staff recommends that after proper notice the Missouri Public Service Commission cancel the certificate of service authority granted to Camarato Distributing Inc. to provide basic local exchange and interexchange telecommunications services and the accompanying tariff File No. JX-2004-0651.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez Legal Counsel Missouri Bar No. 59814

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on Keith Camarato, Registered Agent/President of Camarato Distributing Inc., 2210 N. Park Avenue. P.O. Box 638 Herrin, IL 62948 via certified First Class United States Mail, postage prepaid; and The Office of Public Counsel of the State of Missouri, via electronic mail at operative@ded.mo.gov this 3rd day of August, 2009.

/s/ Jennifer Hernandez