

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

In the Matter of the Cancellation of the)	
Certificate of Service Authority and)	
Accompanying Tariff of Clear Call)	Case No. TD-2006-
Telecom, LLC.)	

**MOTION TO OPEN CASE AND CANCEL CERTIFICATE OF SERVICE AUTHORITY
AND ACCOMPANYING TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its motion, respectfully states:

1. On March 28, 2001, the Commission issued its *Order Approving Interexchange Certificate Of Service Authority And Order Approving Tariff* (Order) granting service authority to Clear Call Telecom, LLC (Clear Call) and approving Clear Call's PSC MO No. 1 tariff in Case No. TA-2001-332.

2. Clear Call is the subject of complaint Case No. TC-2004-0339. Clear Call defaulted before the Commission. The Clear Call complaint case TC-2004-0339 is the subject of a suit, Case No. 04CV325241, at Cole County Circuit Court. Clear Call defaulted before the circuit court.

3. According to the website of the Missouri Secretary of State, Clear Call is a foreign limited liability company and was dissolved on March 4, 2005 after Clear Call's defaults before the Commission and circuit court (see para. 2). Therefore, for the above-stated reasons, Staff recommends that the Commission issue an order canceling Clear Call's certificate and tariff and close this case.

4. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo 2000, which provides:

Any 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.

However, 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. 1989).

5. Pursuant to Section 347.033.3 RSMo (2000), the Staff properly serves its Motion on the office of the Missouri Secretary of State because of Clear Call's recent cancellation of its certificate of limited liability company by that office. Staff notes that all mail to Clear Call's last known address at 29716 Avenida De Las Banderas, Rancho Santa Margarita, CA 92688, is returned.

WHEREFORE, for the reasons stated above, the Staff recommends that the Commission issue an order canceling the certificate of service authority and accompanying PSC Mo. No. 1 tariff of Clear Call Telecom, LLC to provide interexchange telecommunications service, and close this case.

Respectfully submitted,

DANA K. JOYCE
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/s/ Robert S. Berlin

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Certificate of Service

I hereby certify that copies of the foregoing have been sent by certified mail, hand-delivered, or transmitted by facsimile or electronic mail to all parties of record this 12th day of July 2005.

/s/ Robert S. Berlin

**Office of the Missouri Secretary of State
As Registered Agent for Clear Call Telecom, LLC.
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