BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Revocation of the Service) Authority of iCore Networks, Inc.

File No. DD-2017-0

MOTION TO REVOKE AUTHORITY

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COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves for the Missouri Public Service Commission (Commission) to revoke the authority to provide Interconnected Voice Over Internet Protocol (iVoIP) services in Missouri of iCore Networks, Inc. (iCore) and states as follows:

1. On January 14, 2015, iCore filed an application in Case No. DA-2015-0165, to provide iVoIP services in Missouri. On January 23, 2015, the Commission granted iCore the authority to provide iVoIP services throughout Missouri.

2 Section 392.550 identifies certain requirements iVoIP providers must meet in order to receive registration. Section 392.550.3(5) specifically imposes certain fees and charges on iVoIP providers and Section 392.550(6) requires an iVoIP provider to remit the annual assessment imposed by the Commission under Section 386.370. Additionally, Section 392.550.3(7) requires an iVoIP provider to submit an annual report to the Commission along with other necessary information to calculate assessments. The requirements iVoIP providers must meet are further explained and codified in 4 CSR 240-28.040 (reporting) and 4 CSR 240-28.050 (assessments).

3. iCore's application filed in Case No. DA-2016-0165, states the Company, "is ready, willing, able, and will comply with all applicable state and federal laws and regulations imposed upon providers of interconnected voice over Internet protocol services." The Company filed in conjunction with its application an affidavit agreeing to "remit the annual assessment imposed by the Commission under Section 386.370, RSMo" and "file, either directly or indirectly through an affiliated competitive local exchange carrier, with the Commission an annual report at a time and covering the yearly period fixed by the Commission".

4. On May 20, 2016, Staff sent a letter requesting iCore's 2015 Statement of Revenue. Staff has received no contact from the Company in response to its letter. The company has failed to:

a.) File a statement of revenue for 2015.

b.) Submit its assessment payment for 2015.

c.) Submit an annual report for 2015.

5. Due to the Company's failure to comply with the applicable statutes, rules and orders, Staff moves for the Commission to revoke iCore's authority to provide iVoIP services.

WHEREFORE, Staff respectfully recommends the Commission revoke iCore's authority to provide Interconnected Voice Over Internet Protocol services in Missouri.

Respectfully submitted,

<u>/s/ Whitney Payne</u>

Whitney Payne Legal Counsel Missouri Bar No. 64078 Attorney for the Staff of the Missouri Public Service Commission P. O. Box 360 Jefferson City, MO 65102 (573) 751-8706 (Telephone) (573) 751-9285 (Fax) whitney.payne@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 4^{th} day of May, 2017, to all counsel of record.

/s/Whitney Payne



Commissioners

DANIEL Y. HALL Chairman STEPHEN M. STOLL

WILLIAM P. KENNEY

SCOTT T. RUPP

MAIDA J. COLEMAN

Missouri Public Service Commission

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May 20, 2016

iCore Networks, Inc. Attn: Steve Canton 7900 Westpark Dr., Ste. A-135 McLean, VA 22102

Dear Mr. Canton:

Pursuant to Section 392.210.1, RSMo, Section 393.140(6), RSMo, and the Rules at 4 CSR 240-3.165 (Electric Utilities), 4 CSR 240-3.245 (Gas Utilities), 4 CSR 240-3.335 (Sewer Utilities), 4 CSR 240-3.435 (Steam Heating Utilities), 4 CSR 240-3.540 (Telecommunications Companies), and 4 CSR 240-3.640 (Water Utilities), public utilities are required to submit an annual report to the Missouri Public Service Commission on or before April 15th of each year.

This letter is a notification and warning that the Missouri Public Service Commission has not received from your company its required 2015 Annual Report as of the date of this letter.

If your company does not file its report by June 15, 2016, Staff will file a Complaint with the Commission for the utility's (or receiver, if applicable) failure to submit an Annual Report on time. A utility that does not timely file its annual report is subject to a penalty of one hundred dollars (\$100) and an additional penalty of one hundred dollars (\$100) for each day that it is late in filing its Annual Report.

Questions about the annual report form or its content may be submitted to: Kim Bolin at (573) 751-5026 or by email at <u>kim.bolin@psc.mo.gov</u>. The completed document should be submitted under EFIS (accessible from the Commission's web page: <u>http://www.psc.mo.gov</u>) or mailed to:

Manager of the Data Center Missouri Public Service Commission 200 Madison Street, Suite 100 SHELLEY BRUEGGEMANN General Counsel

> MORRIS WOODRUFF Secretary

WESS A. HENDERSON Director of Administration

NATELLE DIETRICH Staff Director P.O. Box 360 Jefferson City, MO 65102-0360

Sincerely,

Kevin A. Thompson Chief Staff Counsel