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 Phone-Link, Inc.	)))	Case No. CD-2006-0065

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 moves that the Commission open a case and cancel the certificate of service authority it granted to Phone-Link, Inc. to provide basic local exchange telecommunications services, as well as the company's tariff. In support of its Motion, Staff respectfully states as follows:

1. The Commission granted Phone-Link, Inc. a certificate of service authority to provide basic local telecommunications services in the state of Missouri, limited to exchanges served by certain large incumbent local exchange telecommunications companies, in Case No. TA-2002-373 in April 2002. The company's current tariff, MO P.S.C. Tariff No. 1, was subsequently approved.

2. Phone-Link, Inc. is a Kentucky corporation and is reflected by the Missouri Secretary of State's office as being in good standing.

3. The Commission has received a letter on Phone-Link, Inc. stationery indicating that the company "has determined that it is not economically feasible to continue to provide local resell service." The unsigned letter indicated that the company has discontinued providing service to customers as of April 29, 2005 and any refunds have been remitted. The letter was accompanied by a sample notice that was provided to customers indicating that the company

would cease providing service and after May 3, 2005, the company would no longer accept telephone payments, change of services, reconnects or new orders. See Appendix A.

4. Staff is not aware that Phone-Link, Inc. is still providing telecommunications services to any Missouri customers. In Case No. TA-2002-373, the Commission granted authority for Phone-Link, Inc. to provide service to customers in areas served by "Southwestern Bell Telephone Company, CenturyTel, Sprint, and GTE doing business as Verizon." Subsequently, Phone-Link, Inc. entered into interconnection agreements only with SBC Missouri, Inc. (see Case No. TK-2004-0230) and with Sprint (see Case No. IK-2003-0146). Staff has verified with representatives from both SBC and Sprint that the interconnection agreements have been terminated and that customers receiving service from Phone-Link, Inc. were transferred under the Commission's rule at 4 CSR 240-31.120 ("Snap-Back Requirements for Basic Local Telecommunications Companies") commencing in late April 2005. Further, that transition was complete by approximately the end of July 2005. Accordingly, Missouri customers are no longer receiving service from Phone-Link, Inc. No customers have contacted the Commission to make complaints about Phone-Link, Inc. since the commencement of the Commission's Electronic Filing and Information System.

5. Phone-Link, Inc. has paid all assessments and submitted all annual reports to date.

6. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2004), 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.

7. 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).

8. This pleading will be served via certified mail upon the address provided most recently by Phone-Link, Inc., to the Commission (which is identical with that provided to the Missouri Secretary of State), as well as upon its Missouri registered agent.

9. Thus, the Commission has the authority to cancel the certificate of service authority it granted to Phone-Link, Inc. to provide basic local exchange telecommunications services in Case No. TA-2002-373, as well as the company's tariff, MO P.S.C. Tariff No. 1. Such an action is supported because as of July 6, 2005, the company has no Missouri customers, nor does it intend to provide service in the future in Missouri.

WHEREFORE, the Staff requests that the Commission grant Staff's Motion and cancel the certificate of service authority it granted to Phone-Link, Inc. to provide basic local exchange telecommunications services in Case No. TA-2002-373 as well as the company's tariff, MO P.S.C. Tariff No. 1.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ David A. Meyer

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to the following this 8th day of August 2005.

/s/ David A. Meyer

Office of the Public Counsel
P. O. Box 7800
Jefferson City, MO 65102

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Registered Agent for Phone-Link, Inc.
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Phone-Link, Inc.
2525 Nelson Miller Parkway, Suite 270
Louisville, KY 40223
(via certified mail)

PHONE LINK

2525 Nelson Miller Pkwy • Suite 270 • Louisville, KY 40223 • Telephone (502)254-8500 • Fax (800)-220-7382

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Records
Public Service Commission

May 5, 2005

To Whom It May Concern:

Due to the price increase in the Local Exchange Carrier's rates Phone Link Inc. has determined that it is not economically feasible to continue to provide local resell service. Therefore, Phone Link Inc. has notified all customers with the attached letter that they would need to find other means of a new provider.

Phone Link Inc. stopped taking monies from customers and merchants on April 29, 2005. If a customer was due a refund Phone Link Inc. has refunded money to those customers. Phone Link Inc. did give the customers a name and number of other providers to choose from.

Any questions regarding this please contact our office at the above number.

Thank you,

Phone Link Inc.

Appendix A

PHONE LINK

2525 Nelson Miller Pkwy, Suite 204 ● Louisville, KY 40223 ● Telephone (800)-220-1377 ● Fax (800)-220-7382

IMPORTANT NOTICE

April 27, 2005

Dear Phone-Link Customer,

Due to the changes imposed upon Phone-Link by the Local Exchange Carrier's (i.e. BellSouth, SBC, Verizon, etc.) we have determined it is no longer economically feasible for us to resell their services to you, the end user.

You are being notified so that you can take the next week to find another telephone service provider to prevent interruption of your service. Beginning on Tuesday, May 3rd, Phone-Link will no longer be accepting telephone payments, change of services, reconnects, or new orders.

Again, please understand that Phone-Link will be discontinuing service in your area, and you must convert to a new carrier as quickly as possible to ensure continuation of your local phone service.

If you have any questions regarding this letter please feel free to contact customer service at 1-888-333-5868.

Thank you for your patronage,

Phone-Link, Inc