

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

In the Matter of the Cancellation of the)
Certificate of Service Authority of)
FullTel, Inc.)

Case No. LD-2007-

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

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission open a case and cancel FullTel, Inc.'s certificate of service authority to provide basic local telecommunications services and to provide intrastate interexchange and non-switched local exchange telecommunications services in Missouri. In support of its Motion, Staff respectfully states as follows:

1. On October 19, 2004, the Missouri Public Service Commission (Commission) issued an order granting a certificate of service authority to provide intrastate interexchange and non-switched local exchange telecommunications services, to FullTel, Inc., in Case No. LA-2005-0055. The company never filed a tariff to provide these services.

2. In the same order, the Commission granted a certificate of service authority to provide basic local telecommunications services to FullTel, Inc. The company never filed a tariff to provide these services.

3. FullTel, Inc. has indicated in its confidential Statement of Revenue it submitted to the Commission that it is no longer in business. On that document, the company's representative indicated that it was reporting no Missouri jurisdictional revenue and that it no longer wished to maintain its operating certificate in Missouri. The notarized statement of revenue containing this statement was submitted to the Commission by the vice president-finance of the company and is

available on a highly confidential basis from the Commission's Electronic Filing and Information System.

4. In its Annual Report submitted most recently to the Commission, the company reported no access lines.

5. FullTel, Inc. has no past due annual reports or assessments to the Commission. No formal complaints have been filed against the company since the commencement of the Electronic Filing and Information System.

6. FullTel, Inc. is an Oklahoma corporation reflected as being in good standing by the Missouri Secretary of State's website.

7. Because FullTel, Inc. has requested cancellation of its certificate and because it is not providing telecommunications service in Missouri, the Staff recommends that the Commission issue an order the company's certificate.

8. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2005), 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).

10. This pleading is being served on the address provided by the company to the Commission via certified mail, as well as upon its Missouri registered agent.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of FullTel, Inc. to provide basic local telecommunications services and to provide

intrastate interexchange and non-switched local exchange telecommunications services in Missouri.

Respectfully submitted,

/s/ David Meyer

David Meyer
Senior Counsel
Missouri Bar No. 46620

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)
email: david.meyer@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed return receipt requested or electronically to all counsel of record as shown on the attached service list this 28th day of March 2007.

/s/ David A. Meyer

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

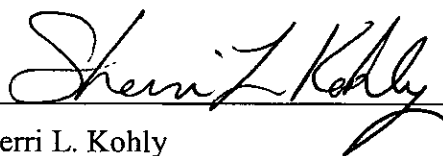
Newman, Comley & Ruth
Registered Agent for FullTel, Inc.
601 Monroe, POB 537
Jefferson City, MO 65102

FullTel, Inc.
201 Robert S. Kerr Ave., Ste. 210
Oklahoma City, OK 73102
(Via Certified Mail)

VERIFICATION

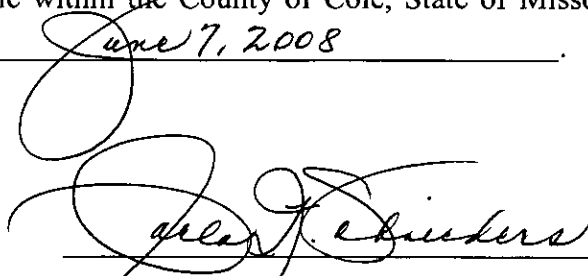
STATE OF MISSOURI)
)
COUNTY OF COLE)

Comes now Sherri L. Kohly, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that the affiant has read the accompanying pleading, and that the facts therein are true and correct to the best of her knowledge.



Sherri L. Kohly
Affiant

Subscribed and affirmed before me this 27th day of March 2007. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on June 7, 2008.



NOTARY PUBLIC

