

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

In the Matter of the Cancellation of the)
Certificate of Service Authority of)
GTC Telecom d/b/a GTC Telecom, Inc.) **File No. XD-2010-**

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

COMES NOW the Staff of the Missouri Public Service Commission (Staff), through the undersigned counsel, and moves for the Missouri Public Service Commission (Commission) to cancel GTC Telecom d/b/a GTC Telecom, Inc.'s (GTC or Company) certificate of service authority to provide competitive interexchange telecommunications services and the associated tariff. For this Motion, Staff respectfully states the following:

1. On February 16, 1999, the Commission issued an Order granting a certificate of service authority GTC to provide competitive interexchange telecommunications services in the State of Missouri. The Order also approved GTC's tariff, YX-2003-0175, Mo. P.S.C. Tariff No. 1.
2. GTC was a registered Nevada corporation with its principal place of business located at 3151 Airway Ave., STE K-103, Costa Mesa, CA 92626 and a mailing address of P.O. Box 1680 Costa Mesa, CA 92628 which was registered with the Missouri Secretary of State. According to the Missouri Secretary of State Office, GTC was administratively dissolved on February 11, 2009, for failing to file a current and correct annual report. According to section 351.486.3 RSMo, 2000,

“A corporation administratively dissolved continues its corporate existence but may not carry on any business except that which is necessary to wind up and liquidate its business and affairs . . . and any officer or director who conducts business on behalf of a corporation so dissolved except as provided in this section shall be personally liable for any obligation so incurred.”

In 2008, the final year GTC filed an annual report with the Missouri Public Service Commission, GTC reported that it had \$19,378 Missouri Jurisdictional Revenue in 2007.

3. GTC has not filed an annual report with the Missouri Public Service Commission for 2008 as mandated by section 392.210.1 RSMo, 2000, and 4 CSR 240-3.165.9.
4. GTC has not paid its FY-2009 Commission assessment and owes a total of \$27.74.
5. The Commission has the authority to cancel the certificate of service authority of a telecommunications corporation pursuant to section 392.410.5 RSMo, 2000, which states “[a]ny 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.”
6. According to Section 506.150 RSMo, 2000, service is proper on a dissolved corporation either at the Missouri Secretary of State’s Office or the last registered agent. The Secretary of State is located at James C. Kirkpatrick State Information Center, PO Box 778 Jefferson City, Missouri 65102. The last known registered agent was National Registered Agents, Inc. 300-B East High Street, Jefferson City, MO 65101.

WHEREFORE, Staff avers a good faith belief that GTC Telecom d/b/a GTC Telecom, Inc. is no longer doing business in the State of Missouri, further staff recommends the Commission cancel the certificate of service authority granted to GTC Telecom, d/b/a GTC Telecom Inc. to provide intrastate interexchange telecommunications services and the accompanying tariff Public Service Commission Tariff No. 1.

Respectfully submitted,

/s/ Matthew Imhoff

Matthew Imhoff

Rule 13 Certified

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on National Registered Agents, Inc. 300-B East High Street, Jefferson City, MO 65101; Capitol Corporate Services, Inc., 222 E. Dunklin Street, Suite 102, Jefferson City, MO 65101; and The Office of Public Counsel, 200 Madison Street, P.O. Box 2230, Jefferson City, MO 65102, opcservice@ded.mo.gov this 30th day of October, 2009, either by hand delivery, electronic mail or First Class United States Mail, postage prepaid.