

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

In the Matter of the Cancellation of the)
Certificates of Service Authority and)
Tariffs of CD Telecommunications, LLC)

Case No. TD-2007-

**MOTION TO OPEN CASE AND CANCEL CERTIFICATES OF SERVICE
AUTHORITY AND ACCOMPANYING TARIFFS**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission cancel CD Telecommunications, LLC's certificates of service authority to provide basic local telecommunications services and interexchange telecommunications services, as well as nonswitched local exchange telecommunications services, limited to providing dedicated private line services telecommunications services, as well as its tariffs. In support of its Motion, Staff respectfully states as follows:

1. On July 16, 2002, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide basic local telecommunications services to CD Telecommunications, LLC, in Case No. TA-2002-453. The Commission subsequently approved the company's tariff, PSC Missouri Tariff Number 2.

2. On May 10, 2004, the Commission granted a certificate of service authority to provide interexchange telecommunications services, as well as nonswitched local exchange telecommunications services, limited to providing dedicated private line services telecommunications services, to CD Telecommunications, LLC, in Case No. XA-2004-0506. The Commission subsequently approved the company's tariff, P.S.C. MO No. 1.

3. CD Telecommunications, LLC, through a letter from its president, has asked the Commission to cancel its certificate of service authority because it is no longer providing

telecommunications services in Missouri and does not intend to do so in the future. See Appendix A.

4. CD Telecommunications, LLC has no assessments past due to the Commission, nor does it owe any annual reports other than the calendar year 2006 annual report which was due April 15, 2007. No complaints submitted by customers pertaining to the company since the commencement of the Commission's Electronic Filing and Information System are unresolved.

5. The web site of the Office of the Missouri Secretary of State reports that CD Telecommunications, LLC is an active Missouri limited liability company.

6. Because CD Telecommunications, LLC 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 canceling CD Telecommunications, LLC's certificates of service authority.

7. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2006), 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).

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

WHEREFORE, the Staff recommends the Commission cancel the certificates of service authority of CD Telecommunications, LLC to provide basic local telecommunications services

and to provide interexchange telecommunications services, as well as nonswitched local exchange telecommunications services, limited to providing dedicated private line services telecommunications services; and also to cancel its tariffs, P.S.C. MO No. 1 and PSC Missouri Tariff Number 2.

Respectfully submitted,

/s/ **David A. Meyer**

David A. Meyer
Senior Counsel
Missouri Bar No. 46620

Attorney for the Staff of the
Missouri Public Service Commission
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Jefferson City, MO 65102
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(573) 751-9285 (Fax)
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 10th day of May 2007.

/s/ **David A. Meyer**

Richard C. Rabah
Registered Agent for CD
Telecommunications, LLC
607 State Highway 165, Suite 5
Branson, MO 65616
(Via Certified Mail)

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

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CD Telecommunications, LLC
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CD Telecommunications, LLC
3000 Green Mountain Dr.
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April 27, 2007

Mr. David A. Meyer
Senior Counsel
Missouri Public Service Commission
200 Madison Street
P. O. Box 360
Jefferson City, MO 65102-0360

RE: CD Telecommunications, LLC – Cancellation of Certificates

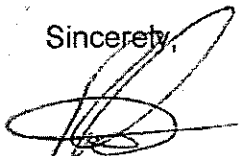
Dear Mr. Meyer:

CD Telecommunications, LLC ("CD Telecom") was granted certificate of service authority to provide basic local exchange telecommunications service in MoPSC Case No. TA-2002-453 (Order issued July 16, 2002). CD Telecom was granted certificate of service authority to provide intrastate interexchange and non-switched local exchange telecommunications services in MoPSC Case No. XA-2004-0506 (Order issued May 10, 2004).

The purpose of this letter is to notify the Missouri Public Service Commission that CD Telecom is no longer providing telecommunications services in Missouri, and does not intend to do so in the future. Therefore, we request that the Commission cancel the certificates of service authority cited above.

Please do not hesitate to contact me (at 417-598-1089), or our attorney, William Steinmeier (at 573-659-8672), if you have any questions or need additional information. Your cooperation is greatly appreciated.

Sincerely,



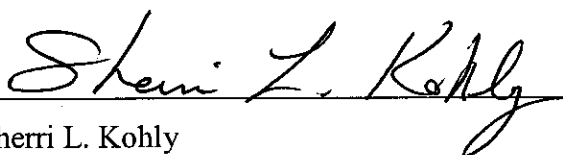
Richard C. Rabah
President and CEO

Cc: William D. Steinmeier

VERIFICATION

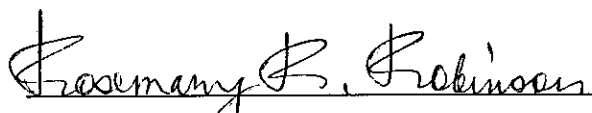
STATE OF MISSOURI)
)
COUNTY OF COLE)

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 10th day of May 2007. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on 9-23-2008.



NOTARY PUBLIC

