

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

In the Matter of the Cancellation of the Certificate)
of Service Authority of City of Wellston, Missouri,)
to Provide Private Pay Telephone Services Within) **File No. PD-2012-_____**
the State of Missouri)

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and moves for the Missouri Public Service Commission (Commission) to cancel the certificate of service authority of the City of Wellston, Missouri, and respectfully states as follows:

1. On March 9, 1999, the Commission granted the City of Wellston a certificate of service authority to provide private pay telephone service in Missouri via customer-owned pay telephone (COCT) equipment.
2. The City of Wellston requested cancellation of its certificate on its Statement of Revenue filed with the Commission in May 2011. See Attachment A (Highly Confidential)
3. The City of Wellston has conveyed to the Staff that it has offered neither payphone service nor a payphone on site at City Hall for at least the last eight years.
4. Pursuant to 4 CSR 240-3.505(1)(B), COCT providers are exempt from the Section 392.390 (1), RSMo (2000) requirement to file annual reports. The Company is current in the payment of its fiscal year assessments.
5. Because the City of Wellston has requested cancellation of its certificate and to the best of the Staff's knowledge, information and belief is no longer providing service, the Staff recommends that the Commission cancel the City of Wellston's certificate.

6. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5, RSMo (Supp. 2010), which provides “[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.”

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. W.D. 1989).

WHEREFORE, the Staff recommends that the Commission cancel the certificate of service authority of the City of Wellston, Missouri, to provide private pay telephone service in Missouri via customer-owned pay telephone (COCT) equipment.

Respectfully submitted,

/s/Jennifer Hernandez

Jennifer Hernandez
Associate Staff Counsel
Missouri Bar No. 59814

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)
jennifer.hernandez@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that I have provided a true and correct copy of the foregoing by First Class United States Postal Mail, postage prepaid, or electronic mail to: City of Wellston, Missouri, 1414 Evergreen, St. Louis, MO 63133; and the Office of the Public Counsel at opcservice@ded.mo.gov this 30th day of November 2011.

/s/Jennifer Hernandez