

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

In the Matter of the Revocation of Registration )  
of N-1 Communications, LLC d/b/a HiBeam )  
Internet and Voice to Provide Interconnected )  
Voice over Internet Protocol Service in the )  
State of Missouri )

**File No. DD-2013** \_\_\_\_\_

**MOTION TO REVOKE REGISTRATION**

**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 revoke the registration of N-1 Communications, LLC d/b/a HiBeam Internet and Voice ("the Company") to provide Interconnected Voice over Internet Protocol service. For its Motion, Staff respectfully states as follows:

1. On May 10, 2010, the Company filed an *Application* before the Commission requesting registration to provide Interconnected Voice over Internet Protocol services in certain exchanges in the state of Missouri in File No. DA-2010-0319.

2. Section 392.550.3 (6), RSMo (Supp. 2010) requires that an Applicant affirm that it "...will remit the annual assessment imposed by the commission under section 386.370." The Company affirmed so in paragraph six (6) of the *Affidavit* attached to the *Application*.

3. Section 392.550.3 (7), RSMo (Supp. 2010) requires that an Applicant affirm that it "...will file...with the commission an annual report at a time and covering the yearly period fixed by the commission." The Company affirmed so in paragraph seven (7) of the *Affidavit* attached to the *Application*.

4. On July 3, 2010, the Commission granted the Company authority to provide Interconnected Voice over Internet Protocol services in certain exchanges in the state of Missouri.

5. The Company is delinquent in the filing of its 2010 and 2011 calendar year annual reports. The Company has not responded to written and telephone correspondence concerning this matter. The Company is also delinquent in the payment of its fiscal year 2012 and 2013 assessments.

6. Section 392.550.4 (6), RSMo (Supp. 2010) states the Commission shall have the authority “[t]o revoke or suspend the registration of any provider of interconnected voice over Internet protocol service who fails to comply with the requirements of this section.”

7. Staff requests the Commission revoke the Company’s registration due to its failure to file annual reports and pay assessments since the Commission granted the Company’s registration.

8. 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**, Staff recommends the Commission revoke the registration of N-1 Communications, LLC d/b/a HiBeam Internet and Voice to provide Interconnected Voice over Internet Protocol service in the state of Missouri.

Respectfully submitted,

**/s/Jennifer Hernandez**

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on this 30<sup>th</sup> day of November by: First Class United States Mail, postage prepaid, to HiBeam Internet and Voice, 400 South Woods Mills Road, Suite 305, St. Louis, MO 63017; by electronic mail to Diana Vuylsteke at [dmvuylsteke@BryanCave.com](mailto:dmvuylsteke@BryanCave.com); and by electronic mail to the Office of the Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov).

**/s/Jennifer Hernandez**