

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

In the Matter of the Cancelation of the)
Certificate of Service Authority and Tariff) File No. CD-2010-
Of CAT Communications International, Inc.)

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission (Staff), through the undersigned counsel, and moves the Missouri Public Service Commission (Commission) to cancel CAT Communications International, Inc.'s (CAT or Company) certificate of service authority to provide competitive interexchange and basic local exchange telecommunication services in Missouri and the associated tariffs. For this Motion, Staff respectfully states the following:

1. On August 8, 2000, the Commission issued an order in TA-2000-347 granting a certificate of service authority to CAT to provide competitive interexchange and basic local exchange services in Missouri.

2. Staff has attempted to contact the Company on numerous occasions concerning outstanding annual report and assessment issues. CAT is delinquent in filing its calendar year 2008 annual report and owes \$15.64 in assessment.

3. CAT's last known address is P.O. Box 11845, Roanoke, VA 24022-1845.

4. Counsel for Staff found that on June 3, 2008, the Company filed a Chapter 11 bankruptcy Petition in the United States Bankruptcy Court for the Western District Of Virginia, which was assigned Case No. 08-71013. On August 27, 2008, the case was converted to a liquidation case under Chapter 7.

5. The United States Supreme Court has explained, "[w]hereas the aim of a Chapter 7 liquidation is the prompt closure and distribution of the debtor's estate, Chapter 11 provides for

reorganization with the aim of rehabilitating the debtor and avoiding forfeitures by creditors.”
Pioneer Inv. Serv. Co. v. Brunswick Assoc. Ltd. P'ship, 507 U.S. 380, 389 (1993).

6. To the best of Staff’s knowledge, information and belief, CAT is no longer providing telecommunication services in Missouri.

7. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo (Supp. 2008), 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.”

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, the Staff respectfully recommends the Commission cancel the certificate of service authority of CAT Communications International, Inc. to provide competitive interexchange and basic local exchange telecommunication services in Missouri, and all applicable tariffs.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez

Legal 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 a true and correct copy of the foregoing was served on all parties of record this 14th day of July, 2009, either by hand delivery, electronic mail or First Class United States Mail, postage prepaid.

/s/ Jennifer Hernandez