

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

In the Matter of the Cancellation of the)
Certificate of Service Authority and Tariff)
of Texas HomeTel, Inc. d/b/a 877-Ring-) Case No. CD-2007-
Again)

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

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission open a case and cancel Texas HomeTel, Inc. d/b/a 877-Ring-Again's certificate of service authority to provide basic local telecommunications services, as well as its tariff. In support of its Motion, Staff respectfully states as follows:

1. On March 29, 2001, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide basic local telecommunications services to Texas HomeTel, Inc. d/b/a 877-Ring-Again, in Case No. TA-2001-380. The Commission subsequently approved the company's tariff, Missouri PSC No. 1.

2. Texas HomeTel, Inc. d/b/a 877-Ring-Again, through a letter from its president, has asked the Commission to cancel its certificate of service authority because it has no customers in the state of Missouri. See Appendix A.

3. Texas HomeTel, Inc. d/b/a 877-Ring-Again 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 pertaining to the company since the commencement of the Commission's Electronic Filing and Information System are unresolved.

4. The web site of the Office of the Missouri Secretary of State reports that the authority of Texas HomeTel, Inc., a Texas corporation, to do business in Missouri was revoked on April 25, 2005 because the company failed to file its Annual Registration Report. Section

351.602.3 RSMo. (2000) states that “[t]he authority of a foreign corporation to transact business in this state ceases on the date shown on the certificate revoking its certificate of authority.”

5. Because Texas HomeTel, Inc. d/b/a 877-Ring-Again has requested cancellation of its certificate, because it is not providing telecommunications service in Missouri, and because it is administratively dissolved and no longer has authority to transact business in Missouri, the Staff recommends that the Commission issue an order canceling Texas HomeTel, Inc. d/b/a 877-Ring-Again’s certificate of service authority.

6. 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).

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

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Texas HomeTel, Inc. d/b/a 877-Ring-Again to provide basic local telecommunications services, as well as its tariff, Missouri PSC No. 1.

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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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 30th day of April 2007.

/s/ David A. Meyer

Texas HomeTel, Inc. d/b/a 877-Ring-Again
P. O. Box 720429
Dallas, TX 75372
(Via Certified Mail)

CT Corporation System
Registered Agent for Texas HomeTel, Inc
120 South Central Ave.
St. Louis, MO 63105

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

Texas HomeTel, Inc
D/b/a 877-Ring Again
P. O. Box 720429
Dallas, TX 75372

April 17, 2007

Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

To Whom It May Concern:

This is to notify the Missouri Public Service Commission that Texas HomeTel, Inc d/b/a 877-Ring Again is requesting cancellation of its Certificate of Service Authority to Provide Pre-Paid Resold Local Exchange Service in Missouri Case No. TA-2001-380

We do not have any customers in the State of Missouri.

Thank you,



Keith Carter – President of Texas HomeTel, Inc d/b/a 877-Ring Again
(214) 887-1212

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BUDGET & FISCAL SVCS
MO. P.S.C.

APPENDIX A

VERIFICATION

STATE OF MISSOURI)
)
COUNTY OF COLE)

Comes now Lisa Mahaney, 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.

Lisa Mahaney

Lisa Mahaney
Affiant

Subscribed and affirmed before me this 27th day of April 2007. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on June 7, 2008.

Carla K. Schnieders

NOTARY PUBLIC

