

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

In the Matter of the Cancellation of the )  
Certificate of Service Authority to Provide )  
Private Pay Telephone Service of )  
Missouri Payphone, Inc. )

Case No. PD-2005-

**MOTION TO OPEN CASE AND CANCEL CERTIFICATE OF SERVICE  
TO PROVIDE PRIVATE PAY TELEPHONE SERVICE**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and for its Motion to Open Case and Cancel Certificate of Service Authority respectfully states as follows:

1. On March 5, 1996, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide private pay telephone service to Missouri Payphone, Inc., (Company) in Case No. TA-96-233.

2. On June 30, 2004, Staff received a FY-2005 Statement of Revenue from the Company indicating that “Missouri Payphones has been out of business since at least (2000) in payphone business.” A copy of the statement is attached hereto and made a part hereof. Staff responded by advising the Company that it “will need to request cancellation of the Certificate of Service Authority...”

3. According to the Missouri Secretary of State’s website, the Company was administratively dissolved on September 4, 2002.

4. Staff has performed an investigation and has determined that the Company owes no assessments and has not returned its FY-2006 Statement of Revenue.

5. Pursuant to Section 392.520.1, RSMo 2000, entities providing coin operated telephone services may be exempt from the requirements of Section 392.390 (1), RSMo 2000,

which requires telecommunications companies to file annual reports. The Commission has exempted coin operated telephone service providers from such filing.

6. The Commission has the authority to cancel a telecommunications company certificate pursuant to Section 392.410.5, RSMo Supp. 2004, 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).

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Missouri Payphone, Inc., to provide private pay phone service.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

/s/ Mary Weston  
Mary Weston  
Assistant General Counsel  
Missouri Bar No. 54669

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-6726 (Telephone)  
(573) 751-9285 (Fax)  
[mary.weston@psc.mo.gov](mailto:mary.weston@psc.mo.gov)

## **Certificate of Service**

I hereby certify that copies of the foregoing have been sent by certified mail, hand delivered or transmitted by facsimile or electronic mail to all parties of record as shown on the attached service list this 13<sup>th</sup> day of May 2005.

/s/ Mary Weston

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

**Missouri Payphone, Inc.  
601 Washington  
Wildwood, MO 63038**

# STATEMENT OF REVENUE

FY-2005 Mo. PSC Assessment

RECEIVED

JUN 30 2004

Missouri Payphone, Inc.  
601 Washington  
Wildwood, MO 63038

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

I, Richard Martin, Sole Stockholder 314 563-3734  
NAME TITLE TELEPHONE #

*Please Note: Missouri Payphones has been out of business since at least (2000) in payphone business*

hereby certify that the GROSS INTRASTATE OPERATING REVENUE of the above-named Company in the State of Missouri, for the calendar year 2003, is:

NOTE: REPORT (to the nearest dollar) GROSS INTRASTATE OPERATING REVENUE APPLICABLE TO YOUR RESPECTIVE UTILITY OPERATIONS. THE GROSS INTRASTATE OPERATING REVENUE REPORTED ON THIS STATEMENT MUST MATCH THE MISSOURI SPECIFIC REVENUE REPORTED ON THE COMPANY'S ANNUAL REPORT.

IF REPORTING ZERO REVENUE, DO YOU WISH TO RETAIN YOUR OPERATING CERTIFICATE? ☐ YES ☐ NO

ELECTRIC OPERATING REVENUE	\$ <u>0</u>
GAS OPERATING REVENUE	\$ <u>0</u>
HEATING OPERATING REVENUE	\$ <u>0</u>
WATER OPERATING REVENUE	\$ <u>0</u>
SEWER OPERATING REVENUE	\$ <u>0</u>
TELEPHONE OPERATING REVENUE	\$ <u>0</u>
TOTAL	\$ <u>0</u>

*Business Failed Financially* Richard Martin  
SIGNATURE

State of \_\_\_\_\_  
County of \_\_\_\_\_

RECEIVED<sup>5</sup>

Sworn to and subscribed before me a Notary Public in and for said County and State this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
DATE MONTH YEAR

OCT - 7 2004

(SEAL)

Records  
Public Service Commission

NOTARY PUBLIC

My commission expires \_\_\_\_\_.

Mail one notarized copy of this statement to the Missouri Public Service Commission, Budget & Fiscal Services Department, P.O. Box 360, Jefferson City, Missouri 65102.

NO LATER THAN MARCH 31, 2004

Attachment