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

In the Matter of the Cancellation of the ) Certificate of Service Authority and ) Accompanying Tariff of Network ) Communications International Corp. d/b/a ) Mundo Telecom. )

Case No. XD-2007-

### 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 the certificate of service authority it has granted to Network Communications International Corp., solely with respect to its use of the fictitious name of Mundo Telecom to provide intrastate interexchange telecommunications services in Missouri, as well as its tariff. In support of its Motion, Staff respectfully states as follows:

1. On August 13, 2004, the Missouri Public Service Commission (Commission) issued an order granting a certificate of service authority to provide intrastate interexchange telecommunications services to Network Communications International Corp. under the fictitious name Mundo Telecom in Case No. XA-2004-0622, and approved its tariff, P.S.C. Mo. Tariff No. 1, in the same case.

2. Network Communications International Corp. d/b/a Mundo Telecom, through a letter from its agent, has asked the Commission to cancel its certificate of service authority because it has no customers using the service that was to be provided under that name, and does not intend to pursue that line of business. See Appendix A. The agent is the same representative who prepared and filed the company's 2005 annual report, and the president of Network Communications International Corp. verified that report.

3. Network Communications International Corp. d/b/a Mundo Telecom owes no annual reports or assessments. No complaints have been submitted with respect to the company since the commencement of the Electronic Filing and Information System.

4. Network Communications International Corp. holds certificates of service authority to do business in its own name and also under the name of 1800Call4Less. These certificates are *not* affected by this filing, and should remain active.

5. Because Network Communications International Corp. has requested cancellation of its certificate to do business under the name Mundo Telecom, and because it is not providing telecommunications service in Missouri under that name, the Staff recommends that the Commission issue an order canceling Network Communications International Corp. d/b/a Mundo Telecom's certificate of service authority, as well as its tariff.

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 and the address provided to the Commission by Network Communications International Corp. d/b/a Mundo Telecom's consultant.

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WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Network Communications International Corp. d/b/a Mundo Telecom to provide intrastate interexchange telecommunications services; and also its tariff, P.S.C. Mo. Tariff No. 1.

Respectfully submitted,

#### <u>/s/ David Meyer</u>

David Meyer Senior Counsel Missouri Bar No. 46620

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) email: david.meyer@psc.mo.gov

## **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 8th day of November 2006.

#### /s/ David A. Meyer

Office of the Public Counsel P.O. Box 2230 Jefferson City, MO 65102

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National Registered Agents, Inc. Registered agent for Network Communications International Corp. d/b/a Mundo Telecom 300-B East High Street Jefferson City, MO 65101

Network Communications International Corp. d/b/a Mundo Telecom c/o Technologies Management, Inc. 210 N Park Ave. Winter Park, FL 32789

Network Communications International Corp. d/b/a Mundo Telecom 606 East Magrill Street Longview, TX 75601 (Via Certified Mail)



November 2, 2006 Via Overnight Delivery

210 N. Park Ave.		
Winter Park, FL		
32789	Mr. David Meyer, Senior Counsel	
	Missouri Public Service Commission	
	200 Madison Street, Suite 100	
P.O. Drawer 200	Jefferson City, MO 65101	
Winter Park, FL		
32790-0200	RE:	Network Communications International Corp. d/b/a Mundo Telecom Cancellation of Certificate and Withdrawal of P.S.C. Missouri Tariff No. 1
Tel: 407-740-8575	Dear Mr. Meyer:	
Fax: 407-740-0613		

tmi@tminc.com

Enclosed for filing please find the original and two (2) copies of this letter requesting the cancellation of Network Communications International Corp. d/b/a Mundo Telecom's certificate and withdrawal of P.S.C. Missouri Tariff No. 1. Mundo Telecom's certificate of service authority to provide interexchange telecommunications services was issued by the Commission August 13, 2004 in Case No. XA-2004-0622.

Network Communications International Corp. d/b/a Mundo Telecom does not have any customers in Missouri and accordingly does not have to notify anyone regarding discontinuance of service in the state.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose. Any questions you may have regarding this filing may be directed to my attention at (407) 740-3004 or to <u>morton@tminc.com</u>. Thank you for your assistance.

Sincerely,

Robin Norton

Robin Norton, Consultant to Network Communications International Corp. d/b/a Mundo Telecom

RN/bc

Enclosures

RN/bc

cc: Stephanie Jackson - NCIC file: NCIC - MO - Mundo tms: MOi0601

Appendix A

#### VERIFICATION

# STATE OF MISSOURI

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Comes now Sherri L. Kohly, 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.

L Kolly

Sherri L. Kohly Affiant

Subscribed and affirmed before me this 8th day of November 2006. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on 9-23-2008.

NOTARY PUBLIC

ROSEMARY R. ROBINSON Notary Public - State of Missouri County of Callaway My Commission Expires Sep. 23, 2008

APPENDIX B