



Missouri Public Service Commission

Commissioners

SHEILA LUMPE
Chair

M. DIANNE DRAINER
Vice Chair

CONNIE MURRAY

ROBERT G. SCHEMENAUER

KELVIN L. SIMMONS

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>

June 5, 2000

BRIAN D. KINKADE
Executive Director
GORDON L. PERSINGER
Director, Research and Public Affairs
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. KOLILIS
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED²

JUN 5 2000

Missouri Public
Service Commission

RE: Case No. TD-2000-689

Dear Mr. Roberts:

Per the Missouri Public Service Commission's June 2, 2000 Order, enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **MOTION TO OPEN CASE AND CANCEL CERTIFICATE OF SERVICE AUTHORITY** with a corrected service list.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Julie A. Kardis

Julie A. Kardis
Assistant General Counsel
(573) 751-8706
(573) 751-9285 (Fax)

JAK:sw
Enclosure
cc: Counsel of Record

FILED²

JUN 5 2000

Missouri Public
Service Commission

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

FILED³

APR 27 2000

Missouri Public
Service Commission

Case No. TD-2000-689

In the Matter of the Cancellation of the)
Certificate of Service Authority and)
Accompanying Tariff for Executech)
Services, Inc.)

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

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 April 12, 1989, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide shared tenant services to Executech Services, Inc. (Executech) in Case No. TA-88-168. Executech's signed application states that Executech will provide annual reports to the Commission.

2. Executech did not file an annual report for 1998. Additionally, Executech's 1999 annual report form was returned by the post office as undeliverable. The Staff contacted the Missouri Secretary of State's office and was informed that Executech was administratively dissolved by the Missouri Secretary of State on July 23, 1990, due to its failure to file an annual report.

3. Executech has not filed a formal request to cancel its certificate. However, the Staff believes that Executech has violated the terms of its certificate by its failure to file an annual report. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 1999), which provides:

Any certificate of service authority may be altered or modified by the

3

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 part requests such a hearing. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Comm'n, 776 S.W.2d 494, 496 (Mo. App. 1989).

WHEREFORE, the Staff recommends the Commission cancel Executech's certificate of service authority to provide shared tenant service.

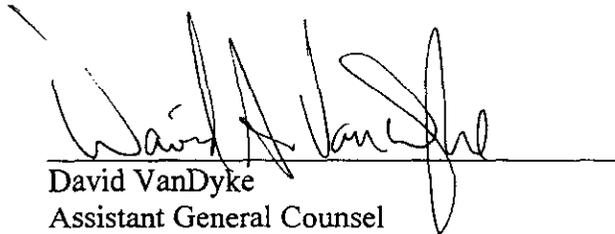
FILED³

APR 27 2000

Missouri Public
Service Commission

Respectfully submitted,

DANA K. JOYCE
General Counsel



David VanDyke
Assistant General Counsel
Missouri Bar No. 46377

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-7485 (Telephone)
(573) 751-9285 (Fax)

Certificate of Service

I hereby certify that copies of the foregoing have been mailed via certified mail, return receipt requested, or hand-delivered to all counsel of record as shown on the attached service list this 5th day of June 2000.

Julie A. Kardis

**Service List for
Case No. TD-2000-689
June 5, 2000**

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

**W. Bevis Schock
Attorney at Law
2115 South Jefferson Avenue
St. Louis, MO 63104**

**Lucien R. Fouke, Jr.
Executech Services, Inc.
711 Old Ballas
St. Louis, MO 63141**