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March 9, 2000

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Director, Research and Public Affairs

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Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

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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

RE: Case No. TD-2000- 551

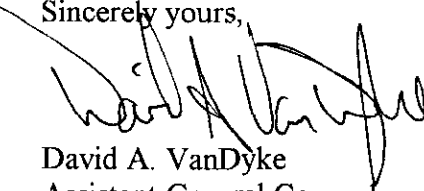
Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **MOTION TO OPEN DOCKET AND CANCEL CERTIFICATE OF SERVICE AUTHORITY AND ACCOMPANYING TARIFF**.

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,


David A. VanDyke
Assistant General Counsel
(573) 751-7485
(573) 751-9285 (Fax)

DAV/lb
Enclosure
cc: Counsel of Record

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

FILED²

MAR 09 2000 *mb*

Missouri Public
Service Commission

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

Case No. TD-2000- 551

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

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

1. On April 18, 1997, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide intrastate interexchange telecommunications services to BFI Communication, Inc. (BFI) in Case No. TA-97-364. The Commission's Order in Case No. TA-97-364 states, "Applicant is required to file a Missouri-specific annual report pursuant to Section 392.310, RSMo, and Section 392.390.1 RSMo." The terms of the certificate also require the applicant to keep the Commission informed of its current address and telephone number.

2. BFI did not file an annual report for 1998 as required by the Commission's Order. Additionally, BFI'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 BFI was administratively dissolved by the Missouri Secretary of State on August 18, 1997 due to its failure to file an annual report.

3. BFI has not filed a formal request to cancel its certificate. However, the Staff believes that BFI has violated the terms of its certificate by its failure to keep the Commission informed of its current address and telephone number and its failure to file annual reports. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 1999), which provides:

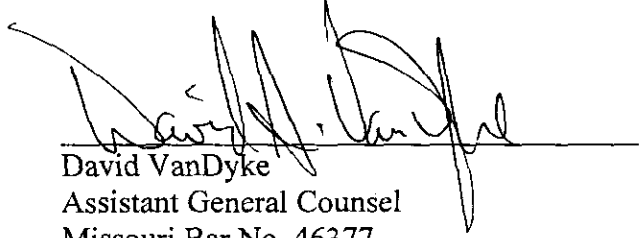
Any certificate of service authority may be altered or modified by the commission after notice and hearing, upon its own motion or upon application of the person or company affected.

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 Commission, 776 S.W.2d 494 (Mo. App. 1989).

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority and tariffs of BFI.

Respectfully submitted,

DANA K. JOYCE
General Counsel

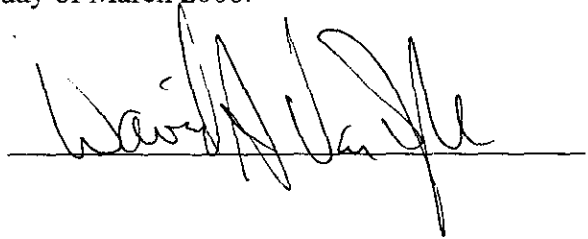


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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 9th day of March 2000.



David VanDyke

**Service List for
Case No. TD-2000-____
March 9, 2000**

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