



Missouri Public Service Commission

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March 27, 2000

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

FILED^2
MAR 27 2000

Missouri Public
Service Commission

RE: Case No. TD-2000-605

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,

[Handwritten signature of David A. VanDyke]

David A. VanDyke
Assistant General Counsel
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DAV/lb
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

MAR 27 2000

Missouri Public
Service Commission

In the Matter of the Cancellation of the)
Certificate of Service Authority and)
Accompanying Tariff for Tel-Span)
Communications, Inc.)

Case No. TD-2000- 605

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 February 4, 1994, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide intrastate interexchange telecommunications services to Tel-Span Communications, Inc. (Tel-Span) in Case No. TA-94-140. The Commission's Order in Case No. TA-94-140 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. Tel-Span did not file an annual report for 1998 as required by the Commission's Order. Additionally, Tel-Span'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 Tel-Span was administratively dissolved by the Missouri Secretary of State on August 18, 1997 due to its failure to file an annual report.

3. Tel-Span has not filed a formal request to cancel its certificate. However, the Staff believes that Tel-Span 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:

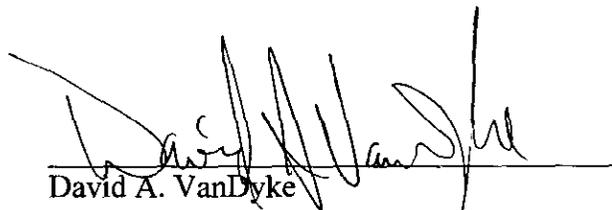
Any certificate of service authority may be altered or modified by the commission after notice and hearing, upon its own motion or upon application of the person or company affected.

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 Comm'n, 776 S.W.2d 494, 496 (Mo. App. 1989).

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority and tariffs of Tel-Span.

Respectfully submitted,

DANA K. JOYCE
General Counsel

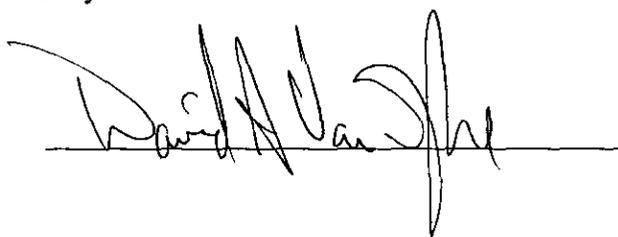


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Certificate of Service

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 27th day of March 2000.



**Service List for
Case No. TD-2000-____
March 27, 2000**

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