

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
October 10, 2000**

CASE NO: TD-2000-689

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

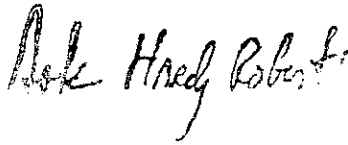
W. Bevis Schock
Attorney At Law
7777 Bonhomme Ave., Suite 2300
St. Louis, MO 63105

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

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

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in cursive script, reading "Dale Hardy Roberts".

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 10th
day of October, 2000.

In the Matter of the Cancellation of)
the Certificate of Service Authority) Case No. TD-2000-689
and Accompanying Tariff for Executech)
Services, Inc.)

**ORDER CANCELING CERTIFICATE OF SERVICE AUTHORITY
TO PROVIDE SHARED TENANT SERVICES AND CANCELING TARIFF**

The Staff of the Missouri Public Service Commission (Staff) filed a motion on April 27, 2000, asking the Commission to cancel the certificate of service authority, and accompanying tariff, which allows Executech Services, Inc. (Executech) to provide shared tenant services, for failure to comply with Missouri law and Commission orders. Staff's motion stated that the Commission granted a certificate of service authority to provide shared tenant services to Executech in Case TA-88-168 on April 12, 1989.

Commission Rule 4 CSR 240-10.080(1) requires "all public utilities subject to the jurisdiction of the Missouri Public Service Commission" to file an annual report with the Commission by April 15 of each year. 4 CSR 240-10.080(1), Effective October 30, 1996. Staff stated that Executech had failed to file annual reports as agreed when signing its application. Staff stated that Executech did not file an annual report for 1998. Additionally, Staff stated that Executech's 1999 annual report form was returned by the post office marked

u

"Undeliverable." Staff stated that Executech was administratively dissolved by the Missouri Secretary of State on July 23, 1990 for failure to file an annual report. Staff stated that Executech had not filed a formal request to cancel its certificate but that Staff believes that Executech has violated the terms of its certificate by its failure to file an annual report.

Staff served a copy of its Motion to Open Case and Cancel Certificate of Service Authority upon Executech by sending a copy of the motion to Lucien R. Fouke, Jr., Executech Services, Inc., 711 Old Ballas, St. Louis, Missouri 65102 (sic), to W. Bevis Schock, Attorney at Law, 2115 South Jefferson Avenue, St. Louis, Missouri 63104 on April 27, 2000. A copy of the motion was also served upon the Office of the Public Counsel on April 27, 2000. On June 2, 2000, the Commission directed Staff to issue a new notice to reflect the proper zip code for Executech no later than June 19, 2000, and Staff complied by filing a new corrected version of the motion on June 5, 2000.

On September 13, 2000, Staff notified the Commission that the copy of the motion mailed to Lucien R. Fouke, Jr. was returned by the United State Postal Service (USPS) as undeliverable and "Unable to Forward." Staff also reported that the USPS returned the receipt showing delivery upon Executech's attorney. On September 19, 2000, Executech's filed its responsive pleading stating that Executech had no objections to cancellation of its certificate as it ceased operations in approximately 1993.

Section 392.410.5, RSMo (Cum. Supp. 1999), gives the Commission authority to cancel a telecommunications company's certificate of

service authority. The Commission has reviewed Staff's motion and recommendation, the responsive pleading, and the official file and finds that, as the corporation is no longer operating, the certificate to provide shared tenant services certificate and tariff granted to Executech in Case No. TA-88-168 on April 12, 1989, shall be canceled.

IT IS THEREFORE ORDERED:

1. That the certificate of service authority to provide shared tenant services granted to Executech Services, Inc., in Case No. TA-88-168 on April 12, 1989, and its accompanying tariff, is canceled.
2. That this order shall become effective on October 20, 2000.
3. That this case may be closed after October 21, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Murray, Schemenauer, and Simmons, CC., concur
Drainer, C., absent

Register, Regulatory Law Judge

ALL/Sec'y: -

Registered

Date Circulated

10-3

CASE NO.

TD-2000-689

10-3
Lumpe, Chair

about
Draimer, Vice Chair

on - votes should be on an agenda copy
Murray, Commissioner

ALZ
Schemenauer, Commissioner

KCS
Simmons, Commissioner

Agenda Date

10-10

Action taken:

4-0 AA

Must Vote Not Later Than

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,

Missouri, this 10th day of Oct. 2000.



Dale Hardy Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge