

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
May 31, 2000**

**CASE NO: TD-2000-553**

**Office of the Public Counsel**  
P.O. Box 7800  
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Missouri Public Service Commission  
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**Lance J. M. Steinhart**  
6455 East Johns Crossings Suite 285  
Duluth, GA 30155

**James Giannoit, President**  
Call Plus, Inc.  
1530 Reynolds Avenue, Suite 105  
Irvine, CA 92714

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

**Sincerely,**

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

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

**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 for Call Plus                )  
of Delaware, Inc.    )     Case No. TD-2000-553

**ORDER DIRECTING FILING**

On March 9, 2000, the Staff of the Missouri Public Service Commission (Staff) filed a motion to open a case and cancel the certificate of service authority for Call Plus of Delaware, Inc. (Call Plus). Call Plus was originally granted a certificate of service authority by the Commission to provide intrastate inter-exchange telecommunications services on August 19, 1997, in Case No. TA-97-546.

In support of its motion, Staff states that Call Plus did not file an annual report for 1998, as required by Sections 392.210 and 392.390.1, RSMo 1994, and that its annual report form was returned by the postal service as undeliverable. Staff further states that it was informed by the Missouri Secretary of State's Office that Call Plus was administratively dissolved on September 14, 1999, for failure to file an annual report. Staff argues that Call Plus has violated the terms of its certificate by its failure to keep the Commission informed of its current address and telephone number and by its failure to file annual reports as required by law.

Staff states that the Commission has authority to cancel a telecommunications corporation's certificate pursuant to Section 392.410.5, RSMo Supp. 1999:

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.

Staff's motion includes a certificate of service that recites that a copy of the motion was mailed or hand-delivered, on March 9, 2000, to the president of Call Plus at an address in Irvine, California, and to the company's in Duluth, Georgia. The file includes no indication as to whether or not any copy was ever received, or whether any copy was returned by the post office as undeliverable. The Commission concludes that the record does not show that sufficient notice has been given to Call Plus to permit the Commission to exercise its authority under Section 392.410.5, RSMo Supp. 1999.

**IT IS THEREFORE ORDERED:**

1. That the Staff of the Missouri Public Service Commission shall give notice of its Motion to Cancel Certificate of Service Authority and Accompanying Tariff by mailing a copy thereof to Call Plus of Delaware, Inc., and its attorney of record by certified United States Mail, return receipt requested, and shall file its pleading in this case advising the Commission whether the same was delivered or was returned. The Staff shall further advise Call Plus of Delaware, Inc., in its cover letter that Commission rules require that a response be filed within ten days.

2. That this order shall become effective on May 31, 2000.

**BY THE COMMISSION**



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

( S E A L )

Vicky Ruth, Regulatory Law Judge,  
by delegation of authority pursuant  
to 4 CSR 240-2.120(1) (November 30,  
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 31st day of May, 2000.

**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 31<sup>st</sup> day of May 2000.**



*Dale Hardy Roberts*

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