

**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 of MAH)
Communications/Utelecom, L.L.C.)

Case No. PD-2006-_____

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

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission open a case and cancel MAH Communications/Utelecom, L.L.C.'s certificate of service authority to provide payphone services. In support of its Motion, Staff respectfully states as follows:

1. In January 2001, the Missouri Public Service Commission (Commission) issued its order in Case No. TA-2001-358, granting MAH Communications/Utelecom, L.L.C. a certificate of service authority to provide private payphone services.

2. The web site of the Office of the Missouri Secretary of State reports that MAH Communications/Utelecom, L.L.C., a California limited liability corporation, registered with the State of Missouri to do business in December 2000. The web site also reports that that registration is perpetual. The registration does not entail subsequent reporting or filing requirements.

3. Mail sent to the address provided by the company has been returned to the Commission as undeliverable. See Appendix A.

4. The information on the California Secretary of State's website indicates the company is still "active" and has the same contact and address information as the Missouri Public Service Commission.

5. All telephone numbers provided to the Commission by the entity are now out of service.

6. MAH Communications/Utelecom, L.L.C. does not appear to have ever provided service to Missouri customers. No customer has contacted the Commission regarding the company since the commencement of the Commission's Electronic Filing and Information System.

7. In support of the conclusion that the entity has ceased to exist, MAH Communications/Utelecom, L.L.C. failed to submit a Statement of Revenue for Fiscal Year 2006. In the years prior to Fiscal Year since receiving its certificate of service authority, the entity never indicated receipt of Missouri revenues.

8. Because MAH Communications/Utelecom, L.L.C. does not provide telecommunications service in Missouri, and because it has apparently ceased to exist and cannot be contacted, the Staff recommends that the Commission issue an order canceling MAH Communications/Utelecom, L.L.C.'s certificate.

9. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo. (Supp. 2004), 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 party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. 1989).

10. This pleading is being served both on the address provided by the company as well as upon its Missouri registered agent.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority granted MAH Communications/Utelecom, L.L.C. to provide private payphone services.

Respectfully submitted,

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/s/ David A. Meyer

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or electronically mailed to all parties of record as shown below this 13th day of September 2005.

/s/ David A. Meyer

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