

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the)	
Certificate of Service Authority of)	<u>Case No. PD-2007-0226</u>
Steven Yogi d/b/a World Access)	

ORDER CANCELING PAYPHONE CERTIFICATE

Issue Date: January 3, 2007

Effective Date: January 13, 2007

This order cancels the payphone certificate of Steven Yogi d/b/a World Access.

On December 20, 2006, the Staff of the Missouri Public Service Commission filed a motion requesting that Mr. Yogi's certificate to provide payphone service be canceled. Staff alleges Mr. Yogi failed to submit statements of revenue to the Commission for the past four fiscal years. As permitted under Section 386.370.5, RSMo 2000, the Commission estimated Mr. Yogi's assessment each year. Mr. Yogi paid the assessment in previous years but failed to pay the fiscal year 2007 assessment which was due July 1, 2006.

Staff has been unsuccessful in its attempt to contact Mr. Yogi via telephone and Mr. Yogi failed to file a response to Staff's motion. No complaints have been filed against Mr. Yogi since the commencement of the Electronic Filing and Information System.

Staff stated Mr. Yogi has violated the terms of his certificate of service authority by failing to keep the Commission informed of a telephone number where he may be reached and by failing to file a statement of revenue.

Mr. Yogi has violated his certificate of service authority pursuant to Section 392.210(2), RSMo, which states, in part, “[t]he Commission shall at all times have access to all accounts, records and memoranda kept by telecommunications companies...” Mr. Yogi has denied the Commission the access that is required and has denied the Commission its abilities to supervise telecommunications operations and services as statutorily mandated under Section 386.250, RSMo.

The Commission has the authority to cancel a certificate pursuant to Section 392.410.5, RSMo, which states, in part, “[a]ny certificate or 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 is not required to hold a hearing after proper notice and opportunity to intervene is provided and 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).

Based on Staff’s motion, the Commission finds that the payphone certificate granted to Mr. Yogi shall be canceled.

IT IS ORDERED THAT:

1. The private payphone certificate granted to Steven Yogi d/b/a World Access, in Case Number TA-98-512, is canceled.

2. This order shall become effective on January 13, 2007.
3. This case may be closed on January 14, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

(SEAL)

Colleen M. Dale, Chief Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri
on this 3rd day of January, 2007.