

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-2008-0168</u>
ETS Payphones, Inc.)	

ORDER CANCELING PRIVATE PAY
TELEPHONE CERTIFICATE

Issue Date: November 28, 2007

Effective Date: December 8, 2007

This order cancels the private pay telephone certificate of ETS Payphones, Inc.

On November 16, 2007, the Staff of the Missouri Public Service Commission filed a motion requesting ETS' certificate to provide private pay telephone service be canceled.

In Case Number TA-99-560, the Commission granted ETS a certificate of service authority to provide private pay telephone service in the State of Missouri via customer-owned coin-operated telephone equipment.

Staff's motion states that according to the Missouri Secretary of State's Office, the company's authority to do business in Missouri was withdrawn on April 23, 2007, pursuant to the company's filing of an Application for Certificate of Withdrawal of Foreign Corporation. No formal complaints have been filed against this payphone provider since the commencement of the Electronic Filing and Information System. In addition, Empire Payphones, Inc., certificated in

Case No. PA-2006-0355, informed Staff that Empire purchased the assets of ETS.

The Commission has the authority to cancel a certificate and tariff 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.”

Based on Staff’s motion and because ETS is no longer authorized to, nor is the company providing telecommunications service, the Commission finds that the private payphone certificate granted to ETS Payphones, Inc. shall be canceled.

IT IS ORDERED THAT:

1. The private payphone certificate granted to ETS Payphones, Inc., in Case Number TA-99-560, is canceled.
2. This order shall become effective on December 8, 2007.
3. This case may be closed on December 9, 2007.

BY THE COMMISSION



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 28th day of November, 2007.