

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Cancellation of the)
Certificate of Service Authority of) File No. PD-2010-
Freedom Payphones)

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission and moves for the Missouri Public Service Commission (Commission) to cancel the certificate of service authority to provide private pay telephone service in Missouri of Freedom Payphones (“the Company”) and states as follows:

1. On January 10, 1996, the Commission granted a certificate of service authority to the Company to provide private pay telephone service in Missouri in Case No. TA-96-182.

2. On December 6, 2009, the Company contacted Staff and requested that its certificate of service authority be cancelled. See Attachment A.

3. Because the Company requested cancellation of its certificate and it is not providing services in Missouri, Staff recommends the Commission cancel the certificate.

4. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo 2000, which provides “[a]ny 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.”

5. 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. W.D. 1989).

WHEREFORE, the Staff respectfully recommends the Commission cancel the certificate of service authority of Freedom Payphones to provide private pay telephone service in Missouri.

Respectfully submitted,



Colleen M. Dale
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Missouri Public Service Commission
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 7th day of December, 2009.



Attachment A

Dale, Cully

From: Clete & Tiffany Hudson [cthmchudson@hotmail.com]

Sent: Sunday, December 06, 2009 2:24 PM

To: Dale, Cully

Subject: Freedom Payphones

Dear Mr Dale

Please be advised that Freedom Payphones has not conducted any telecommunications business in the State of Missouri during 2008 or 2009. we wish to have our certificate cancelled.

Thanks
Clete Hudson
Freedom Payphones
2308 W 3rd Terr
Chanute KS

we are no longer in the Telecommunications business

12/7/2009