

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
May 26, 2000**

CASE NO: TD-2000-548

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Mark P. Johnson/Lisa Creighton
Sonnenschein, Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, MO 64111

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Bobby Garrett, President
Digital One Plus, Inc.
624 Six Flags Drive, Suite 214
Arlington, TX 76011

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

Sincerely,

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

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

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 Digital's president at an address in Arlington, Texas, and to Digital's attorneys in Kansas City. The file includes no indication as to whether or not either copy was ever received, or whether either 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 Digital 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 Digital One Plus, Inc., and its attorneys 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 Digital One Call, 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 26, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kevin A. Thompson, Deputy Chief
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 26th 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 26th day of May 2000.**

Dale Hardy Roberts

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

