

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

In the Matter of the Cancellation of the)
Certificate of Service Authority of Brett S.) Case No. PD-2006-
Zini d/b/a Zini's Imagineering)

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

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and requests that the Commission cancel the certificate of service authority of Brett S. Zini d/b/a Zini's Imagineering. In support of its motion, Staff respectfully states as follows:

1. In October 2004, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide payphone service to Brett S. Zini d/b/a Zini's Imagineering in Case No. PA-2005-0059. Mr. Zini had previously registered the fictitious name of "Zini's Imagineering" with the Missouri Secretary of State's Office on August 23, 2004.

2. The Commission has received a letter from Mr. Zini requesting the cancellation of Brett S. Zini d/b/a Zini's Imagineering's certificate. The letter is attached as Attachment A.

3. Brett S. Zini d/b/a Zini's Imagineering owes no assessments or annual reports. No customers have contacted the Commission with complaints about Brett S. Zini d/b/a Zini's Imagineering since the commencement of the Commission's EFIS system.

4. The Commission has the authority to cancel a telecommunications company 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).

5. Staff is serving this pleading upon the address provided by the company to the Commission via certified mail.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Brett S. Zini d/b/a Zini's Imagineering to provide payphone service.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ **David A. Meyer**

David A. Meyer
Senior Counsel
Missouri Bar No. 46620

Attorney for the Staff of the
Missouri Public Service Commission
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Jefferson City, MO 65102
(573) 751-8706 (Telephone)
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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 4th day of August 2005.

/s/ David A. Meyer

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

Brett S. Zini d/b/a Zini's Imagineering
P. O. Box 1759
Mountain View, AR 72560-1759
(via certified mail)

July 5, 2005

Missouri Public Service Commission
Administration Division
PO Box 360
Jefferson City, MO 65102


RE: Annual Assessment

Dear Sirs:

I received your letter showing \$0.00 assessment for fiscal year beginning July 1, 2005. My question now, however, is how do I close my files with the Missouri Public Service Commission? The business I attempted never came to fruition because the company from which I purchased my equipment now has a patent pending lawsuit against them so I withdrew my equipment from the establishment in Missouri and will, therefore, not be providing any service in Missouri, or anywhere else.

I scanned your website but did not find access to a form or directions on how to close my records. Would you please let me know what steps I need to take? Thank you.

Sincerely,



Brett S. Zini
Zini's Imagineering (Payphone)
PO Box 1759
Mountain View, AR 72560-1759

RECEIVED

JUL 18 2005

BUDGET & FISCAL SVCS
MO. P.S.C.