

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

In the Matter of the Cancellation of the)
Certificates of Service Authority of)
Nurwahyu Fajaryanto and Nurwahyu)
Fajaryanto d/b/a NF Enterprises)

Case No. PD-2006-

**MOTION TO OPEN CASE
AND CANCEL CERTIFICATES 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 Nurwahyu Fajaryanto. In support of its motion, Staff respectfully states as follows:

1. On January 2, 2002, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide payphone service to Nurwahyu Fajaryanto in Case No. TA-2002-0272. Subsequently, on January 24, 2002, the Commission granted a certificate of service authority to provide payphone service to Nurwahyu Fajaryanto d/b/a NF Enterprises in Case No. TA-2002-0288.

2. Nurwahyu Fajaryanto initially provided a Columbia, Missouri address to the Commission for both certificates. Subsequently, the Commission received the address of P.O. Box 781, St. Ann, MO 63074 from Nurwahyu Fajaryanto as a contact address to use in lieu of the most recently provided Columbia address. Mail now sent to the St. Ann address has been returned, with an indication that there is no forwarding order on file. See Appendix A.

3. Attempts to contact Nurwahyu Fajaryanto via the telephone number provided most recently to the Commission on the March 2005 Statement of Revenue have met with no response. Telephone messages left at the telephone number provided to the Commission have not been returned.

4. On the Fiscal Year 2006 Statement of Revenue, Nurwahyu Fajaryanto checked the box on the form indicating that the certificate holder did not wish to retain the operating certificate. The Commission may take notice of the highly confidential Statement of Revenue filed March 17, 2005 as non-case-related submission BSOR-2006-0588. The Statement of Revenue reflected receipt of revenue in calendar year 2004, so cancellation was not sought at that time. Nurwahyu Fajaryanto d/b/a NF Enterprises was not entered into the Commission's system until after the Statements of Revenue were mailed, and thus did not provide a response.

5. Nurwahyu Fajaryanto owes a minimal Fiscal Year 2006 assessment. Nurwahyu Fajaryanto d/b/a NF Enterprises was not assessed because it was not entered into the Commission's system until after assessments had been levied. Payphone providers are not required to file annual reports. No customers have contacted the Commission with complaints about Nurwahyu Fajaryanto or Nurwahyu Fajaryanto d/b/a NF Enterprises' service since the commencement of the Commission's EFIS system.

6. Staff believes that Nurwahyu Fajaryanto and Nurwahyu Fajaryanto d/b/a NF Enterprises have violated the terms of the certificates of service authority by failing to keep the Commission informed of a current address and telephone number. Sections 392.210(2), RSMo 2000 states, among other things, "The Commission shall at all times have access to all accounts, records and memoranda kept by telecommunications companies..." Because Nurwahyu Fajaryanto and Nurwahyu Fajaryanto d/b/a NF Enterprises have failed to keep the Commission informed of a current address or telephone number, the Commission is unable to make any contact. Therefore, Nurwahyu Fajaryanto and Nurwahyu Fajaryanto d/b/a NF Enterprises have denied the Commission the access that is required of the Commission under Section 392.210(2), RSMo 2000. Certainly, Nurwahyu Fajaryanto and Nurwahyu Fajaryanto d/b/a NF Enterprises

RSMo 2000. Certainly, Nurwahyu Fajaryanto and Nurwahyu Fajaryanto d/b/a NF Enterprises have denied the Commission its abilities to supervise telecommunications operations and services as statutorily mandated under Section 386.250.

7. 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).

8. Staff is serving this verified pleading (see Appendix B) upon all the addresses provided to the Commission by Nurwahyu Fajaryanto and Nurwahyu Fajaryanto d/b/a NF Enterprises including a street address in Columbia provided in the initial application. Service is also being made via email to an address obtained from an internet search engine. The Commission's rule at 4 CSR 240-2.080(17)(C)1 states that service by mail is complete upon mailing.

WHEREFORE, the Staff recommends the Commission cancel the certificates of service authority of Nurwahyu Fajaryanto and Nurwahyu Fajaryanto d/b/a NF Enterprises 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
P. O. Box 360
Jefferson City, MO 65102
(573) 751-8706 (Telephone)
(573) 751-9285 (Fax)
david.meyer@psc.mo.gov

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 1st day of December 2005.

/s/ David A. Meyer

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

Nurwahyu Fajaryanto and
NF Enterprises
P. O. Box 781
St. Ann, MO 63074
fajaryanto1@yahoo.com (*electronic
service*)
(*and via certified mail for hard copy
service*)

Nurwahyu Fajaryanto and
NF Enterprises
P. O. Box 310
Columbia, MO 65205

Nurwahyu Fajaryanto and
NF Enterprises
2008 Meadowvale Court #A
Columbia, MO 65202

Missouri Public Service Commission
Administration Division
P.O. Box 360
Jefferson City, Missouri 65102

MO 419-2629 (4-01)

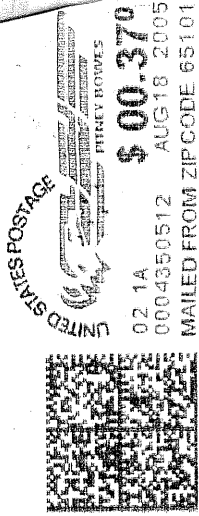
RECEIVED

AUG 25 2005

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

Nurwahyu Fajaryanto
P.O. Box 310
Columbia, MO 65205

FAJARYANTO TIME EXP. RTN TO SEND
FAJARYANTO NURWAHYU
PO BOX 781
SAINT ANN MO 63074-0781



Missouri Public Service Commission
Administration Division
P.O. Box 360
Jefferson City, Missouri 65102

MO 419-2629 (4-01)

ASSESSMENT

6510230740781 05

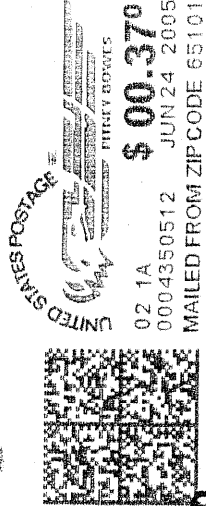
resent

8/18/05

BOX CLOSED
NO MORE MAILING
UNDER ON FILE

Nurwahyu Fajaryanto
P.O. Box 781
St. Ann MO 63074

310
Box 781
Columbia, MO 65205



RECEIVED

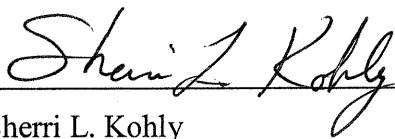
AUG 16 2005

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

VERIFICATION

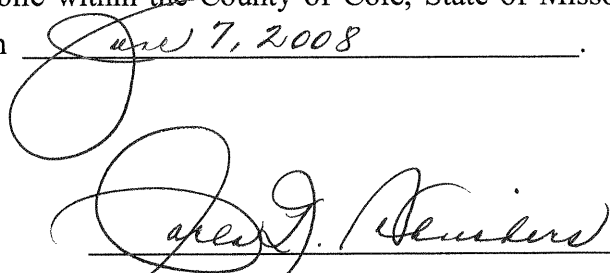
STATE OF MISSOURI)
)
COUNTY OF COLE)

Comes now Sherri L. Kohly, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that the affiant has read the accompanying pleading, and that the facts therein are true and correct to the best of her knowledge.



Sherri L. Kohly
Affiant

Subscribed and affirmed before me this 1st day of December, 2005. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on June 7, 2008.



NOTARY PUBLIC

