

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

In the Matter of the Cancellation of the)
Certificate of Service Authority and Tariff)
of R2C Communications, Inc.)

Case No. XD-2007-_____

**MOTION TO CANCEL
CERTIFICATE OF SERVICE AUTHORITY AND TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves the Commission to cancel the Certificate of Service Authority it has granted to R2C Communications, Inc. as well as its tariff. In support of its Motion, the Staff respectfully states as follows:

1. The Commission granted R2C Communications, Inc. a certificate of service authority to provide intrastate, interexchange telecommunications services in Case No. XA-2004-0060, effective September 6, 2003. The Commission subsequently approved the company's tariff, P.S.C. MO. TARIFF NO. 1, in the same case.

2. R2C Communications, Inc. is a Kansas corporation listed by the Missouri Secretary of State as "active," but it last filed a report with the Secretary of State in March 2006. Thus, it has failed to submit its report for 2007 and is expected to receive notice that it will be administratively dissolved shortly.

3. Staff has attempted to contact the company at the number provided. Although a voicemail message indicates that it accepts messages for R2C Communications, Inc., messages requesting a response left on June 13, June 19, and several times during the week of June 25 have not been returned. A message left on May 30 was returned, but the individual who returned the call was vague about the company's status. Former consultants for the company have indicated they have an impression the company is ceasing operations. Mail sent to the address

provided by the company has not been returned to the Commission as undeliverable. Staff has also attempted to communicate with the company via the email address provided by the company and has advised the company that Staff will be seeking cancellation, but the email response was that the email was undeliverable. Although all of these allegations merely suggest the company has ceased operations based on circumstantial evidence, the Commission's rule at 4 CSR 240-3.545(22), among other rules, requires telecommunications companies to maintain current contact information at the Commission, and the company has failed to do so.

4. In keeping with indications that R2C Communications, Inc. has ceased operations, it has not submitted a 2006 annual report or a fiscal year 2008 statement of revenue to the Commission. The Commission mailed copies of the annual report and statement of revenue forms to the company in January 2007 and those were not returned. No customers have contacted the Commission to make complaints about R2C Communications, Inc. since the commencement of the Commission's Electronic Filing and Information System.

5. Because R2C Communications, Inc. cannot be contacted, the Staff recommends that the Commission issue an order canceling its certificate and tariff. The Commission's rule at 4 CSR 240-3.545(22), among other rules, requires telecommunications companies to maintain current contact information at the Commission.

6. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo (Supp. 2006), 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).

7. Copies of this Motion are being served via certified mail upon the registered agent for R2C Communications, Inc., as well as via regular mail to the address the company has provided to the Commission.

WHEREFORE, the Staff recommends the Commission cancel the Certificate of Service Authority it has granted to R2C Communications, Inc. to provide intrastate interexchange telecommunications services in Case No. XA-2004-0060 effective September 6, 2003, as well as its tariff, P.S.C. MO TARIFF NO. 1.

Respectfully submitted,

/s/ David A. Meyer

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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 5th day of July 2007.

/s/ David A. Meyer

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VERIFICATION


STATE OF MISSOURI)
)
COUNTY OF COLE)

Comes now William L. Voight, 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 his knowledge.



William L. Voight
Affiant

Subscribed and affirmed before me this 5th of July 2007. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on 9-23-2008.



NOTARY PUBLIC

