

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

In the Matter of the Cancellation of the	)	
Certificates of Service Authority of:	)	
	)	
Randall D. Veselka	)	
Randolph Bradford Clay	)	
Rev. A.A. Boyd	)	
Robert Magaster	)	
Robert Whelan	)	
Rodney S. Holst	)	
Shane Otis Roberts	)	
Shawn Shelton	)	
John A. Havens d/b/a Southern Missouri	)	Case No. PD-2006-
Telecom	)	
Steve T. Callis	)	
T. Alvin Robinson	)	
Tamela Privitera d/b/a T.P. Services	)	
Tony M. Pace	)	
Webb Langworthy d/b/a Webb	)	
Communications	)	
Webb Langworthy	)	
Craig Wharry d/b/a Y.A.P.	)	
Communications	)	

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

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and for its Motion to Open Case and Cancel Certificates of Service Authority to Provide Private Pay Telephone Service, respectfully states:

1. The above-captioned individuals (Providers) have been granted certificates of service authority by the Missouri Public Service Commission (Commission) to provide private pay telephone services, pursuant to the Commission’s authority under Section 386.250, RSMo 2000. A list containing information for each of the Providers is marked “Appendix A,” attached hereto and made a part hereof.

2. None of the Providers listed has returned the Commission's Statement of Revenue form for the FY-2006 Assessment. The Commission has assessed the Providers with an estimated assessment of \$0.00.
3. Staff believes that the Providers have violated the terms of their certificates of service authority by their failure to file a 2006 statement of revenue.
4. Staff attempted to contact each of the Providers on the list. Staff spoke directly to Tony M. Pace's wife and she confirmed that Mr. Pace hasn't been in the payphone business for years and she specifically requested that the payphone certificate be cancelled. Staff received written correspondence requesting cancellation of Shawn Shelton's payphone certificate from Lori Shelton, wife of Shawn Shelton. Rodney Holst previously contacted the Commission via phone to request cancellation of his payphone certificate. Staff left messages at four (4) of the Provider's last known telephone numbers. One of those four Providers, Rev. A.A. Boyd, returned Staff's call and confirmed that he also is no longer in the payphone business and has no objections to having his certificate cancelled. The remaining nine (9) Providers' phone numbers have been disconnected or re-assigned.
5. None of the providers is delinquent in paying any assessment that may have been assessed during the history of their registration with the Commission. As a payphone provider, the individuals are not required to submit annual reports to the Commission. See 4 CSR 240-3.505(1)(B).
6. Staff has made an investigation and no other matters are pending in front of the Commission.
7. The Commission has the authority to cancel a telecommunications company certificate pursuant to Section 392.410.5 RSMo 2000, 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 (see Appendix B) pleading on the last known address of the Providers as reflected in Appendix A. Commission Rule 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 to provide private pay telephone service of the parties to this case.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ David A. Meyer**

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Missouri Bar No. 46620  
Attorney for the Staff of the  
Missouri Public Service Commission  
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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed return receipt requested or hand-delivered to all counsel of record as shown on the attached service list this 16<sup>th</sup> day of December, 2005.

**/s/ David A. Meyer**

<u>Certificated Provider Name and Address</u>	<u>Case Number</u> <u>Date of Certification</u>
Randall D. Veselka 700 Corporate Circle Golden, CO 80401	TA-99-570 7/21/1999
Randolph Bradford Clay 302 Saint Christopher Dr. O'Fallon, MO 63366	TA-97-177 12/27/1996
Rev. A.A. Boyd 2908 North Newstead St. Louis, MO 63115	TA-2001-266 11/29/2000
Robert Magaster 1916 East Sleepy Hollow Dr. Olathe, KS 66062	TA-99-285 1/26/1999
Robert Whelan 15140 Sherwood, Ste. 100 Leawood, KA 66224	TA-94-289 6/17/1994
Rodney S. Holst 407 North Carter Desloge, MO 63601	TA-96-437 7/16/1996
Shane Otis Roberts 5723 Northeast 60th Street Kansas City, MO 64119	TA-98-225 1/7/1998
Shawn Shelton 204 N. 10th St. Poplar Bluff, MO 63901	PA-2003-0553 7/18/2003
John A. Havens d/b/a Southern Missouri Telecom 3462 East Blueridge Springfield, MO 65809	TA-99-397 4/13/1999

**APPENDIX A**

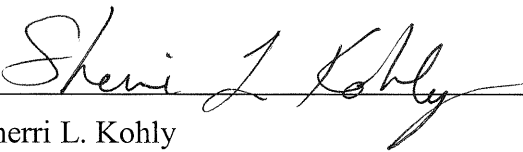
<u>Certificated Provider Name and Address</u>	<u>Case Number</u> <u>Date of Certification</u>
Steve T. Callis 2000 East Broadway #115 Columbia, MO 65201	TA-98-75 9/18/1997
T. Alvin Robinson 2409 Jackson Street Blue Springs, MO 64015	TA-96-140 12/6/1995
Tamela Privitera d/b/a T.P. Services 8701 West 104th Street Overland Park, KS 66212	TA-95-427 7/28/1995
Tony M. Pace 333 Southeast Lees Summit, MO 64063	TA-98-309 2/25/1998
Webb Langworthy d/b/a Webb Communications 15427 Audrain Rd. Auxvasse, MO 65231	TA-98-536 7/1/1998
Webb Langworthy 15427 Audrain Rd. Auxvasse, MO 65231	TA-2000-805 7/18/2000
Craig Wharry d/b/a Y.A.P. Communications 14339 Riveroaks Court Florissant, MO 63034	TA-97-432 5/6/1997

**APPENDIX A**

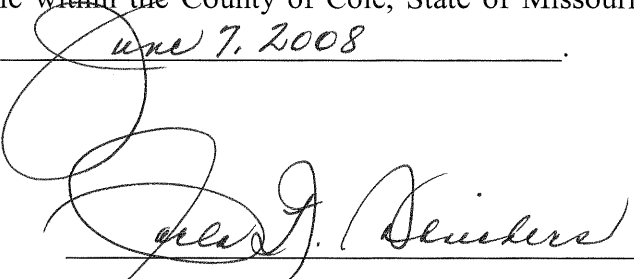
**VERIFICATION**

**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 the attached Appendix A, and that the facts therein are true and correct.

  
\_\_\_\_\_  
Sherri L. Kohly  
Affiant

Subscribed and affirmed before me this 16<sup>th</sup> 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

