

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

In the Matter of the Cancellation of the )  
Certificates of Service Authority of: )  
)  
Akilah Alford )  
Albert Winston )  
Andrew J. and Donna M. Irvin )  
Anita Anderson )  
Brent J. Reynolds )  
Brian Hughs )  
Charles L. Bussio )  
Christopher Smith )  
Clarence G. Wolf, Jr. )  
Darla Ray De Vera )  
David E. Stanfield ) Case No. PD-2006-  
David J. Tscharnner )  
David W. Zabawa )  
Dennis A. Lewis )  
Doug Mullins )  
Douglas Ross )  
Estanya Collins )  
Frank Sellaro )  
Gary Loyd )  
Glen E. Hancock )  
Jeff C. Freeze )  
Jeff C. Warren )  
Jeffry Faulkner d/b/a Mister Jeff's )  
Hair Center )  
)

**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 David W. Zabawa and he specifically requested that his payphone certificate be cancelled. Staff left messages at seven (7) of the Provider's last known telephone numbers. Three of those seven Providers, Frank Sellaro, Albert Winston and Gary Loyd, returned Staff's call and confirmed that they are no longer in the payphone business and have no objections to having their certificates cancelled. The remaining fifteen (15) 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 pleading (see Appendix B) on the last known address of the Providers. Commission Rule 4 CSR 240-2.080(17)(C)(1) provides 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.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ David A. Meyer**

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Senior Counsel  
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 to all parties of record as shown on the attached service list (see Appendix A) this 1<sup>st</sup> day of December, 2005.

**/s/ David A. Meyer**

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<u>Certificated Provider Name and Address</u>	<u>Case Number</u> <u>Date of Certification</u>
Akilah Alford 2347 Millvalley Dr. Florissant, MO 63031	TA-2000-498 03/20/00
Albert Winston 10248 Pannell Dr. St. Louis, MO 63136	TA-95-351 06/28/95
Andrew J. and Donna M. Irvin 8511 N. Cosby Ave., Apt. 225 Kansas City, MO 64154	TA-97-327 03/19/97
Anita Anderson 901 South 6 <sup>th</sup> Ave. Ozark, MO 65721	TA-97-73 09/25/96
Brent J. Reynolds 12909 Falmouth Leawood, KS 66209	TA-94-2 09/17/93
Brian Hughs 310 W. Mount Nixa, MO 65714	TA-97-47 08/29/96
Charles L. Bussio 22624 Richmond Ln. Waynesville, MO 65583	TA-98-570 07/31/98
Christopher Smith 1604 Concord Ct. Independence, MO 64058	TA-2000-593 04/19/00
Clarence G. Wolf, Jr. 1710 North Cedar Nevada, MO 64772	TA-97-138 10/23/96
Darla Ray De Vera 824 Joliet Dr. Cahokia, IL 62206	TA-98-66 09/18/97

**Certificated Provider Name and Address**

**Case Number**

**Date of Certification**

David E. Stanfield  
4259 San Francisco  
St. Louis, MO 63115

TA-95-69  
10/18/94

David J. Tscharner  
8626 Olden Ave.  
St. Louis, MO 63114

TA-96-55  
09/15/95

David W. Zabawa  
7913 Hall St.  
Lenexa, KS 66219

TA-98-202  
12/16/97

Dennis A. Lewis  
1988 Cherry Street Ct.  
Springfield, MO 65802

TA-95-265  
03/31/95

Doug Mullins  
9150 Northwest Moore Rd.  
Parkville, MO 64153

TA-94-268  
05/20/94

Douglas Ross  
2009 Independence  
Cape Girardeau, MO 63703

TA-94-376  
08/24/94

Estanya Collins  
2021 Oakland  
Kansas City, KS 66102

TA-2001-518  
04/30/01

Frank Sellaro  
P.O. Box 34590  
Kansas City, MO 64116

TA-99-133  
10/29/98

Gary Loyd  
5406 Pershing Rd.  
St. Joseph, MO 64505

TA-2000-852  
08/14/00

**Certificated Provider Name and Address**

**Case Number**  
**Date of Certification**

Glen E. Hancock  
12021 Grand Ave.  
Kansas City, MO 64145

TA-95-44  
10/18/94

Jeff C. Freeze  
8079 North FR 145  
Springfield, MO 65803

TA-97-329  
03/19/97

Jeff C. Warren  
1243 West Gregory Blvd.  
Kansas City, MO 64114

TA-99-153  
12/07/98

Jeffrey Faulkner d/b/a Mister Jeff's Hair Center  
8426 Olive Blvd.  
St. Louis, MO 63132

TA-2004-0137  
11/03/03

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

Subscribed and affirmed before me this 1<sup>st</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.

*Carla K. Schnieders*  
\_\_\_\_\_  
NOTARY PUBLIC

