

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

In the Matter of the Cancellation of the )  
Certificate of Service Authority and )  
Accompanying Tariff of Cybertech )  
Electronics and Communications, L.L.C. )

Case No. PD-2006-\_\_\_\_\_

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

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission open a case and cancel Cybertech Electronics and Communications, L.L.C.'s certificate of service authority to provide payphone services. In support of its Motion, Staff respectfully states as follows:

1. In February 1996, the Missouri Public Service Commission (Commission) issued its order in Case No. TA-96-206, granting Cybertech Electronics and Communications, L.L.C. a certificate of service authority to provide private payphone services.
2. The web site of the Office of the Missouri Secretary of State reports that Cybertech Electronics and Communications, L.L.C., a Missouri limited liability corporation, registered with the State of Missouri to do business in December 1995. The web site also reports that that registration is perpetual. The registration does not entail subsequent reporting or filing requirements.
3. Mail has not been returned to the Commission from Cybertech Electronics and Communications, L.L.C. at the address provided by the company. The Missouri Secretary of State's website reflects a different address for the company than the Commission's records, but that is likely because the company was organized in 1995 and the company has not made any subsequent filings.

4. The telephone number provided to the Commission by Cybertech Electronics and Communications, L.L.C. as a contact number now provides service to a residential address and does not appear to have a connection to Cybertech Electronics and Communications, L.L.C..

5. Cybertech Electronics and Communications, L.L.C. does not appear to have ever provided service to Missouri customers. No customer has contacted the Commission regarding the company since the commencement of the Commission's Electronic Filing and Information System.

6. In support of the conclusion that the entity has ceased to exist, Cybertech Electronics and Communications, L.L.C. has failed to submit a Statement of Revenue since at least Fiscal Year 2002. The Commission has not assessed the company a positive amount, so it does not owe any assessments.

7. Because Cybertech Electronics and Communications, L.L.C. does not provide telecommunications service in Missouri, and because it has apparently ceased to exist and cannot be contacted, the Staff recommends that the Commission issue an order canceling Cybertech Electronics and Communications, L.L.C.'s certificate.

8. The Commission has the authority to cancel a telecommunications corporation 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).

9. This pleading is being served both on the address provided by the company to the Commission as well as upon its Missouri registered agent.

**WHEREFORE**, the Staff recommends the Commission cancel the certificate of service authority granted Cybertech Electronics and Communications, L.L.C. to provide private payphone services.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ David A. Meyer**

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David A. Meyer  
Senior Counsel  
Missouri Bar No. 46620

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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 1<sup>st</sup> day of November 2005.

**/s/ David A. Meyer**

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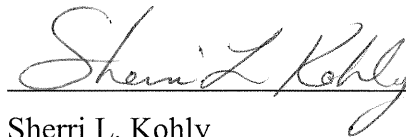
Cybertech Electronics and Communications,  
L.L.C.  
303 South Silvertop Lane  
Raymore, MO 64083

Kenneth D. Ferguson  
Registered Agent for  
Cybertech Electronics and Communications,  
L.L.C.  
101 NE 80<sup>th</sup> Street  
Kansas City, MO 64118  
**(via certified mail)**

## 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 31<sup>st</sup> day of October, 2005. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on September 11, 2006.



NOTARY PUBLIC

