

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

In the Matter of the Cancellation of the )	
Certificates of Service Authority of: )	
	)
CAI of Texas, Inc., )	Case No. PD-2006-
Mannacom Telecommunications, Inc., )	
Northwestern Communications, Inc., and )	
Teletrust, Inc. )	

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

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), and moves that the Commission cancel the payphone certificates of service authority of the above-captioned companies. In support of its *Motion*, Staff respectfully states:

1. The above-captioned companies (Companies) 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 was prepared and verified by affiant Staff employee Sherri L. Kohly of the Utility Operations Division of the Commission. A copy of said list is attached as "Appendix A."

2. Each of the Companies shares the following facts that support Staff's motion to open a mass docket case for the cancellation of the Companies' certificates:

- a) The Companies have been "dissolved" according to the Office of the Missouri Secretary of State. CAI of Texas, Inc. was registered as a Delaware corporation; Mannacom Telecommunications, Inc. was registered as an Arkansas corporation; Northwestern Communications, Inc. was registered as an Illinois corporation; and Teletrust, Inc. was registered as a Texas corporation. Section 351.602.3 RSMo.

(2000) states “The authority of a foreign corporation to transact business in this state ceases on the date shown on the certificate revoking its certificate of authority.”

- b) The Companies have not returned a statement of revenue form for at least the past two years. Mail sent to the addresses provided to the Commission has not been returned, however.

3. Staff believes that the Companies have violated the terms of their certificates of service authority by 1) their failure to maintain their authorization to operate in the State of Missouri, and 2) by their failure to file statements of revenue. All of the Companies have been dissolved for at least a year and failed to file statements of revenue for some time prior to their dissolution. See Affidavit of Sherri Kohly, marked “Appendix B,” attached hereto and made a part hereof.

4. The Companies are not delinquent in paying any assessments that may have been assessed during the history of their registration with the Commission. As payphone providers, the Companies are not required to submit annual reports to the Commission.

5. Staff has made an investigation and no other matters are pending in front of the Commission.

6. The Commission has the authority to cancel a certificate to provide payphone services 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).

7. Staff is serving this pleading on the registered agent for each company other than CAI of Texas, Inc. listed on the website of the Secretary of State. Section 352.594(1) RSMo 2000 provides:

The registered agent of a foreign corporation authorized to transact business in this state is the corporation's agent for service of process, notice or demand required or permitted by law to be served on the foreign corporation.

Commission Rule 4 CSR 240-2.080(17)(C)(1) states "Service by mail is complete upon mailing." Staff is also serving this pleading upon the addresses provided by the Companies if that address differs from that of the Companies' registered agent. Staff is aware that the registered agent for CAI of Texas, Inc., passed away a number of years ago. Accordingly, as permitted by the provisions of Section 351.594.2 RSMo. (2000), service is being made by certified mail, return receipt requested, addressed to "any person designated as a director or officer of the corporation at any place of business of the corporation," on that entity.

WHEREFORE, the Staff recommends the Commission cancel the certificates of service authority of the Companies to provide private pay telephone service.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ David A. Meyer**

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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](mailto:david.meyer@psc.mo.gov)

**Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to the following, this 13<sup>th</sup> day of October 2005.

**/s/ David A. Meyer**

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David A. Meyer

Office of the Public Counsel  
Governor Office Building, Suite 650  
200 Madison Street  
P. O. Box 7800  
Jefferson City, MO 65102

Darrel York  
Registered Agent for  
Mannacom Telecommunications, Inc.  
6168 N Form Road 105  
Willard, MO 65781  
***(Via Certified Mail)***

Mark W. Comley  
Registered Agent for  
Northwestern Communications, Inc.  
601 Monroe St., Suite 301  
Jefferson City, MO 65102  
***(Via Certified Mail)***

CSC Lawyers Incorporating Service Company  
Registered Agent for Teletrust, Inc.  
221 Bolivar Street  
Jefferson City, MO 65101  
***(Via Certified Mail)***

Director or Officer of CAI of Texas, Inc.  
CAI of Texas, Inc.  
1614 Chablis Street  
Garland, TX 75040  
***(Via Certified Mail)***

Mannacom Telecommunications, Inc.  
506 Brent Drive  
North Little Rock, AR 72116

Northwestern Communications, Inc.  
1901 South Wright Boulevard  
Schaumburg, IL 60193

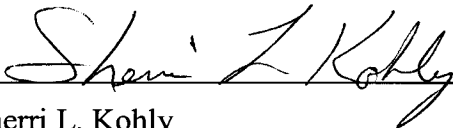
Teletrust, Inc.  
320 Sherman Avenue  
P. O. Box 2450  
Lubbock, TX 79415

<b><u>Certificated Companies</u></b>	<b><u>Case No. Date of Certification</u></b>	<b><u>Sec. of State Date of Dissolution</u></b>	<b><u>Sec. of State Registered Agent</u></b>
CAI of Texas, Inc. 1614 Chablis Street Garland, TX 75040	TA-92-244 6/9/92	6/27/95	William M. Barvick 240 East High Street, Suite 202 Jefferson City, MO 65101
Mannacom Telecommunications, Inc. 506 Brent Drive North Little Rock, AR 72116	TA-96-133 12/6/95	5/13/96	Darrel York 6168 N Form Road 105 Willard, MO 65781
Northwestern Communications, Inc. 1901 South Wright Boulevard Schaumburg, IL 60193	TA-2000-296 12/17/99	8/2/01	Mark W. Comley 601 Monroe St., Suite 301 Jefferson City, MO 65102
Teletrust, Inc. 320 Sherman Avenue P. O. Box 2450 Lubbock, TX 79415	TA-97-277 2/27/97	9/14/05	CSC Lawyers Incorporating Service Company 221 Bolivar Street Jefferson City, MO 65101

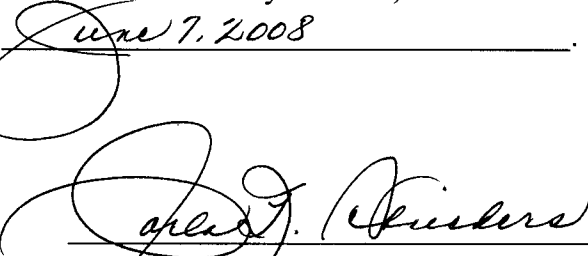
**VERIFICATION**

**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.

  
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Sherri L. Kohly  
Affiant

Subscribed and affirmed before me this 12th day of October, 2005. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on June 7, 2008.

  
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NOTARY PUBLIC

