

May 31, 2017

Mr. Morris L. Woodruff
Secretary
Missouri Public Service Commission
200 Madison Street, P.O. Box 360
Jefferson City, Missouri 65102-0360

Re: Notice of Discontinuance of Basic Local Telecommunications Services of Budget PrePay, Inc.

Dear Mr. Woodruff:

Budget PrePay, Inc. ("Budget PrePay"), hereby gives notice to the Commission that it is discontinuing its provision of basic local telecommunications services in Missouri and relinquishing its designation as an Eligible Telecommunications Carrier ("ETC") throughout the Southwestern Bell Telephone Company, L.P. d/b/a AT&T Missouri service territories.

Budget PrePay's ETC designation was issued by the Commission on March 20, 2010.¹ The Designation Order designated Budget PrePay as an ETC "to receive only low-income federal Universal Service Fund support for Lifeline..."²

Budget PrePay is a Louisiana corporation with its principal offices located at 1325 Barksdale Boulevard, Bossier City, Louisiana, 71111. Budget PrePay has been in business since 1996.

Budget PrePay is a Competitive Local Exchange Carrier ("CLEC") certificated by the Commission to provide basic local exchange and long distance services in the service territories referenced above, pursuant to the Commission's Order granting a Certificate of Service Authority, issued September 18, 2002.³

¹ *In the Matter of the Application of Budget PrePay, Inc., for Designation as an Eligible Telecommunications Carrier for the Purpose of Receiving Low-Income and Disabled Customer Support in AT&T Missouri Service Areas*, File No. TA-2010-0146, Order Granting Application for Designation as an Eligible Telecommunications Carrier (issued Mar. 10, 2010) ("Designation Order").

² *Id.* at 1.

³ *In the Matter of the Application of Budget Phone, Inc., for a Certificate of Service Authority to Provide Resold and Facilities-based Local Telecommunications Services in Portions of the State of Missouri and to Classify Such Services and the Company as Competitive*, Case No. CA-2003-0024, Order Granting Certificate to Provide Resold and Facilities-Based Basic Local Telecommunications Services (issued Sept. 18, 2002) ("2002 Order"). On May 9, 2007, the Commission issued an Order recognizing the name change from Budget Phone, Inc., to Budget PrePay, Inc. *In the Matter of the Name Change Request of Budget Phone, Inc., to Budget PrePay, Inc., d/b/a Budget Phone*, Case No. TN-2007-0411, Order Recognizing Corporate Name Change and Approving Tariff Sheets (issued May 9, 2007).

Contemporaneously with this filing, Budget PrePay is submitting to the Commission an application for the cancellation of its Certificate of Service Authority, issued by the Commission in the 2002 Order.⁴ Budget PrePay's application for cancellation indicates that, upon the Commission's grant of the request for cancellation of Budget PrePay's Certificate of Service Authority, Budget PrePay will withdraw the following associated tariffs: (1) Budget PrePay P.S.C. MO. Tariff No. 3 (Missouri Telecommunications Access Services Tariff), Tracking No. YC-2007-072; and (2) Budget PrePay P.S.C. MO. Tariff No. 4 (Schedule of Rates, Rules and Regulation, Resale and Facilities-Based Local Exchange Telecommunications Services Provided in the State of Missouri), Tracking No. YC-2010-0521.⁵

Budget PrePay anticipates relinquishing its CLEC ETC designation in Missouri on or about July 5, 2017. Because Budget PrePay currently has no customers subscribing to Lifeline services (and has not had any such customers for several years), the impact of this discontinuance will be virtually non-existent.

Should you have any questions regarding this filing, please do not hesitate to contact undersigned counsel.

Sincerely,

/s/ Susan B. Cunningham

Susan B. Cunningham
Counsel

Attachment

Copy: MPSC General Counsel
Office of the Public Counsel

⁴ *In the Matter of the Application of Budget Phone, Inc., for a Certificate of Service Authority to Provide Resold and Facilities-based Local Telecommunications Services in Portions of the State of Missouri and to Classify Such Services and the Company as Competitive*, Case No. CA-2003-0024, Application of Budget PrePay, Inc., for Cancellation of Certificate of Service Authority to Provide Basic Local Telecommunications Services (filed May 31, 2017).

⁵ *Id.* at 2-3.

**BEFORE THE
MISSOURI PUBLIC SERVICE COMMISSION**

Application of Budget PrePay, Inc.)
for Approval to Cancel Its Certificate of)
Service Authority to Provide)
Basic Local Telecommunications Services)
in Portions of the State of Missouri) Case No. CA-2003-0024

**APPLICATION OF BUDGET PREPAY, INC., FOR CANCELLATION
OF CERTIFICATE OF SERVICE AUTHORITY TO PROVIDE
BASIC LOCAL TELECOMMUNICATIONS SERVICES**

Budget PrePay, Inc. (“Budget PrePay”), by its counsel, pursuant to Section 392.410.5 RSMo and the rules of the Missouri Public Service Commission (“Commission”), hereby requests that the Commission cancel Budget PrePay’s Certificate of Service Authority to provide basic local telecommunications services in portions of the State of Missouri. In support thereof, Applicant states as follows:

1. Budget PrePay is a Louisiana corporation with its principal offices located at 1325 Barksdale Boulevard, Bossier City, Louisiana 71111. Budget PrePay has been in business since 1996, and owns and operates its own switching facilities in Dallas, Texas, and Shreveport, Louisiana.
2. Budget PrePay is authorized to do business in the State of Missouri.¹
3. Budget PrePay may be contacted at the e-mail address, fax number, and telephone numbers of its attorneys, as set forth under the signature block of this Application.² All commu-

¹ Pursuant to Commission Rule 2.060(1)(C) (4 CSR 240-2.060(1)(C)), a copy of a Certificate of Good Standing issued by the Secretary of State, reflecting that Budget PrePay is authorized to do business in the State of Missouri, was submitted to the Commission by Budget PrePay on November 12, 2009, in Case No. TA-2010-0146.

² See Commission Rule 2.060(1)(A) (4 CSR 240-2.060(1)(A)).

nications regarding this proceeding, including correspondence, pleadings, orders, and decisions, should be sent to:

Susan B. Cunningham
Dentons US LLP
7028 SW 69th Street
Auburn, Kansas 66402
Phone: (816) 460-2441
Cell: (785) 817-1864
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4. Budget PrePay has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve retail customer services or rates, which action, judgment, or decision has occurred within three (3) years of the date of this Application.³

5. Budget PrePay does not have any overdue annual reports required to be submitted to the Commission, or any overdue regulatory assessment fees required to be paid to the Commission.⁴

6. Budget PrePay is a Competitive Local Exchange Carrier certificated by the Commission to provide basic local exchange and long distance services in designated service areas in the State of Missouri, pursuant to the Commission's Order granting a Certificate of Service Authority, issued September 18, 2002, in Case No. CA-2003-0024 ("*Order*").⁵ In this Application, Budget PrePay requests the cancellation of this Certificate of Service Authority.

7. Upon the Commission's grant of this request for cancellation of Budget PrePay's Certificate of Service Authority, Budget PrePay will withdraw the associated tariffs referenced

³ See Commission Rule 2.060(1)(K) (4 CSR 240-2.060(1)(K)).

⁴ See Commission Rule 2.060(1)(L) (4 CSR 240-2.060(1)(L)).

⁵ On May 9, 2007, the Commission issued an Order in Case No. TN-2007-0411, recognizing the name change from Budget Phone, Inc., to Budget PrePay, Inc.

as (1) Budget PrePay P.S.C. MO. Tariff No. 3 (Missouri Telecommunications Access Services Tariff), Tracking No. YC-2007-072; and (2) Budget PrePay P.S.C. MO. Tariff No. 4 (Schedule of Rates, Rules and Regulation, Resale and Facilities-Based Local Exchange Telecommunications Services Provided in the State of Missouri), Tracking No. YC-2010-0521.

8. The Commission has the authority to cancel a certificate of service authority pursuant to Section 392.410.5 RSMo, which states in pertinent part that “[a]ny certificate of service authority may be altered or modified by the [C]ommission after notice and hearing, upon its own motion or upon application of the person of company affected.” However, the Commission need not hold a hearing if, following proper notice and opportunity to intervene, no party requests a hearing.⁶

9. The Commission’s Order granting a Certificate of Service Authority states that Budget PrePay may provide non-switched local exchange telecommunications service restricted to the dedicated private line services.⁷ Budget PrePay currently has no customers subscribing to these services, nor does Budget PrePay have any desire or intention to make any such services available any longer. In these circumstances, canceling the Certificate of Service Authority and withdrawing the associated tariffs are appropriate, both to limit the time, resources, and expense necessary to maintain them and to permit Budget PrePay to better streamline its operations.

WHEREFORE, Budget PrePay, Inc., respectfully requests that the Commission grant its Application and cancel its Certificate of Service Authority to provide basic local telecommunications services in the State of Missouri.

⁶ *In the Matter of the Application of Zayo Fiber Solutions, LLC, for Approval to Cancel Its Certificate of Authority and Withdrawal of Tariff*, File No. LD-2011-0369, Order Directing Notice (issued May 16, 2011), at 1 (citing *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W. 2d 494 (Mo. App. W.D. 1989)).

⁷ Order at 11.

Respectfully submitted,

/s/ Susan B. Cunningham

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May 31, 2017

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties via electronic mail on May 31, 2017:

General Counsel
Kevin Thompson
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102
E-mail: gencounsel@pcs.mo.gov
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Public Counsel
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PO Box 2230
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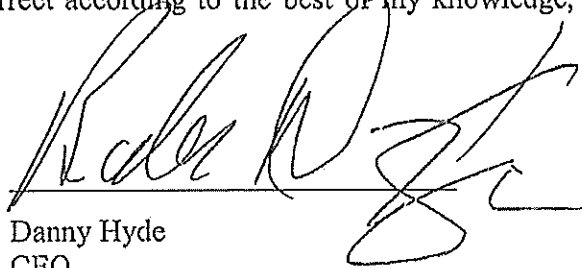
/s/ Susan B. Cunningham

Susan B. Cunningham

PARRISH OF BOSSIER)
)
STATE OF LOUISIANA) SS

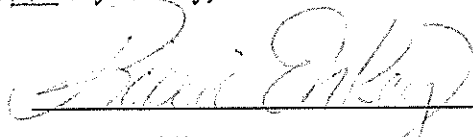
VERIFICATION

I, Danny Hyde, being duly sworn upon my oath, state that I am over twenty-one (21) years of age, sound of mind, and am CEO, Budget PrePay, Inc. I am authorized to act on behalf of Budget PrePay regarding the foregoing document. I have read the document and I verify that the facts contained therein are true and correct according to the best of my knowledge, information, and belief.



Danny Hyde
CEO
Budget PrePay, Inc.

Sworn and subscribed to before me on this 11th day of May, 2017.



Notary Public

ROBIN M ENKEY
Notary Public #78084
Bossier Parish
State of Louisiana
Commission Is For Life