

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

**In the Matter of the Cancellation of the)
Certificates of Service Authority of:)**

**Alpha Tel-Com, Inc.;)
AAA Security Systems, Inc.;)
Intellicom, Inc.;)
North American Intelcom, Inc.;)
The Battle Group, Inc.;)
Infinitel, Inc.;)
B&A Communications, Inc.;)
Archway Communications, Inc.;)
National West Coast Vending, Inc.;)
Progressive Controls, Inc.;)
Telecoin Communications Limited;)
Trans Continental Communications,)
Inc.;)
Communications Central of Georgia,)
Inc.;)
Heartland Telecom, Inc.;)
Memphis Best Restaurants;)
Visioncomm, Inc.;)
Gateway Phone Systems, Inc.; and)
Fields Rentals, Inc.)**

Case No. PD-2005-

**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 respectfully states as follows:

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

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

- a) Staff is unable to contact the Companies through a valid mailing address or telephone number.
- b) The Companies' 2003 statement of revenue form, mailed by the Budget and Fiscal Services Department of the Commission's Administration Division on January 15, 2004, was returned by the post office as undeliverable.
- c) The Companies were "dissolved" according to the Office of the Missouri Secretary of State. Section 351.476(1) states "A dissolved corporation continues its corporate existence but *may not carry on any business except that appropriate to wind up and liquidate its business and affairs...*"

3. Staff believes that the Companies have violated the terms of their certificates of service authority by 1) their failure to keep the Commission informed of a current address and telephone number, and 2) by the failure of the Companies to file a 2003 statement of revenue. See Affidavit of Sherri Kohly, marked "Appendix B," attached hereto and made a part hereof. Section 392.210(2) states, among other things, "The commission shall at all times have access to all accounts, records and memoranda kept by telecommunications companies...." Because the Companies have failed to keep the Commission informed of a current address or telephone number, the Commission is unable to contact the Companies. Therefore, the Companies have denied the Commission the access that is required of the Commission under Section 392.210(2).

Certainly, the Companies have denied the Commission its ability to supervise telecommunications operations and services as statutorily mandated under Section 386.250.

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

5. 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).

6. Because the Companies have provided no current contact information and because the 2003 statement of revenue was returned to the Commission by the United States Postal Service as undeliverable, Staff is unable to provide service of this pleading to the Companies directly. Therefore, Staff is serving this pleading on the registered agent for each company as listed on the website of the Secretary of State. Section 351.380(1) RSMo 2000 provides:

The registered agent so appointed by a corporation upon whom any process, notice or demand required or permitted by law to be served upon a corporation may be served.

If the Secretary of State's office reports no registered agent, Staff is serving this pleading on the last known principal office address of the Companies. Commission Rule 4 CSR 240-2.080(17)(C)(1) states "Service by mail is complete upon mailing."

WHEREFORE, the Staff recommends the Commission issue an order canceling the certificates of service authority of the Companies to provide private pay phone services.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ Mary E. Weston

Mary E. Weston
Assistant General Counsel
Missouri Bar No. 54669

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 526-6726 (Telephone)
(573) 751-9285 (Fax)
email: mary.weston@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed return receipt requested to all registered agents or last known principal office addresses of record as shown on the attached service list this 13th day of July 2004.

/s/ Mary E. Weston

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Alpha Tel-Cor, Inc.
C/o National Registered Agents
300 B East High Street
Jefferson City, MO 65101

**AAA Security Systems, Inc.
C/o CT Corporations System
120 South Central Avenue
Clayton, MO 63105**

**Intellicom, Inc.
C/o David Frensley
801 w. 47th, Suite 105
Kansas City, MO 64112**

**North American Intelcom, Inc.
C/o CT Corporations System
120 South Central Avenue
Clayton, MO 63105**

**The Battle Group, Inc.
C/o CSC Lawyers Inc. Service Co.
222 East Dunklin Street
Jefferson City, MO 65101**

**Infinitel, Inc.
C/o The Corporation Company
120 South Central Avenue
Clayton, MO 63105**

**B&A Communications, Inc.
C/o National Registered Agents, Inc.
300-B East High Street
Jefferson City, MO 65101**

**Archway Communications, Inc.
6105 Pershing, #3W
St. Louis, MO 63112**

**National West Coast Vending, Inc
C/o Tim Clancy
710 Valley View Drive
Manchester, MO 63011**

**Progressive Controls, Inc.
C/o The Corporation Company
120 South Central Avenue
Clayton, MO**

**Telecoin Communications Limited
C/o World Communications, Inc
1992 Interbelt Business Center
St. Louis, MO 63114**

**Trans Continental Communications, Inc.
Land Records
41 S. Central Avenue
Clayton, MO 63105**

**Communications Central of Georgia, Inc
C/o CSC Lawyers Inc. Service Co.
222 East Dunklin
Jefferson City, MO 65101**

**Heartland Telecom, Inc.
c/o CSC Lawyers Inc. Service Co.
221 Bolivar Street
Jefferson City, MO**

**Memphis Best Restaurants
c/o Judd B. Presley
8071 Manchester Road
St. Louis, MO 63144**

**Visioncomm, Inc.
C/o The Corporation Company
120 South Central Avenue
Clayton, MO 63105**

**Gateway Phone Systems, Inc.
C/o Huizhi Mao
140F Ballwin Manor Drive
Ballwin, MO 63021**

**Fields Rentals, Inc.
C/o Norman Fields
Route I-44 East Box V
Waynesville, MO 65583**

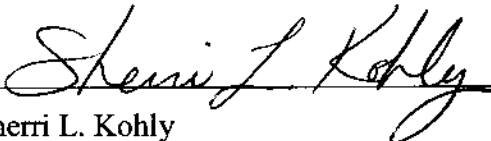
<u>Certificated Companies</u>	<u>Case No. Date of Certification</u>	<u>Sec of State Date of Dissolution</u>	<u>Sec of State Registered Agent</u>
Alpha Tel-Com, Inc. 2751 Highland Ave. Grant Pass, OR 97526	TA-2001-355 1/27/2001	12/23/2002	National Registered Agents 300 B East High Street Jefferson City, MO 65101
AAA Security Systems, Inc. 10401 Hickman Rd. Des Moines, IA 50322	TA-89-118 2/10/1989	Merged into Cambridge Security Systems dissolved 8/8/2000	CT Corporations System 120 South Central Avenue Clayton, MO 63105
Intellicom, Inc 801 West 47th St., Ste. 105 Kansas City, MO 64112	TA-94-213 3/22/1994	9/14/1999	David Frensley 801 w. 47th, Suite 105 Kansas City, MO 64112
North American Intelcom, Inc. 14100 San Pedro, Ste. 400 San Antonio, TX 78232	TA-90-349 12/12/1990	8/2/2001	CT Corporations System 120 South Central Avenue Clayton, MO 63105
The Battle Group, Inc. 46950 Community Plaza #233 Sterling, VA 20164	TA-98-18 8/8/1997	8/31/1998	CSC Lawyers Inc Service Co 222 East Dunklin Street Jefferson City, MO 65101
Infinitel, Inc. 240 S. Pineapple Ave. Sarasota, FL 34236	TA-99-4 8/3/1998	9/4/2002	The Corporation Company 120 South Central Clayton, MO 63105
B&A Communications, Inc. 8500 Stemmons #300 Dallas, TX 75247	TA-96-3 7/28/1995	8/31/1998	National Registered Agents 300 B East High Street Jefferson City, MO 65101
Archway Communications, Inc. 6105 Pershing, #3W St. Louis, MO 63112	TA-99-538 5/28/1999	6/22/1998	Kristy Harvey No Address Listed
National West Coast Vending, Inc. 2180 Colorado Ave. Santa Monica, CA 90404	TA-96-323 5/3/1996	5/13/1996	Tim Clancy 710 Valley View Drive Manchester, MO 63011
Progressive Controls, Inc. 1100 River Lane Loves Park, Illinois 61111	TA-98-135 11/25/1997	8/28/2000	The Corporation Company 120 South Central Clayton, MO 63105
Telecoin Communications Limited Keystone Commons - 525 Braddock Turtle Creek, PA 15145	TA-91-132 11/21/1990	5/13/1991	World Communications, Inc 1992 Interbelt Business Center St. Louis, MO 63114
Trans Continental Communications, Inc. 8626 Tesoro, Ste. 440 San Antonio, TX 78217	TA-95-147 3/3/1995	5/23/1995	Land Records 41 S. Central Avenue Clayton, MO 63105

Communications Central of Georgia, Inc. 10120 Windhorst Rd. Tampa, FL 33619	TA-94-347 8/2/1994	2/18/2004	CSC Lawyers Inc Service Co 222 East Dunklin Street Jefferson City, MO 65101
Heartland Telecom, Inc. 8914 Northeast 73rd Court Kansas City, MO 64158	TA-96-214 2/7/1996	11/2/1999	Larry G. Schulz 2900 Brook Tree Lane, Ste 100 Gladston, MO 64119
Memphis Best Restaurants 8071 Manchester Rd. St. Louis, MO 63144	TA-92-183 4/10/1992	4/16/1991	Judd B. Presley 8071 Manchester Road St. Louis, MO 63144
Visioncomm, Inc. 124 Point West Blvd. St. Charles, MO 63301	TA-97-10 8/6/1996	9/4/2002	The Corporation Company 120 South Central Clayton, MO 63105
Gateway Phone Systems, Inc. 104F Ballwin Manor Drive Ballwin, MO 63021	TA-96-284 4/5/1996	5/5/1997	Huizhi Mao 140 F. Ballwin Manor Drive Ballwin, MO 63021
Fields Rentals, Inc. Route 66 St. Robert, MO 65583	TA-95-17 9/23/1994	9/14/1999	Norman Fields Route I-44 East Box V Waynesville, MO 65583

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 foregoing pleading styled "In the Matter of the Cancellation of the Certificates of Service Authority of Alpha Tel-Com, Inc., et. al." and the attached Appendix A, and that the facts therein are true and correct.

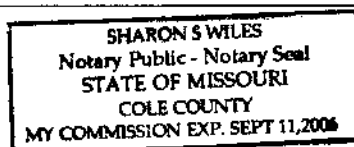


Sherri L. Kohly
Affiant

Subscribed and affirmed before me this 12th day of July, 2004.
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



APPENDIX B