

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the Certificate of)
Service Authority of Sterling Payphones, LLC) **File No. PD-2012-0184**
to Provide Private Pay Telephone Service Within)
the State of Missouri)

ORDER CANCELING CERTIFICATE OF SERVICE AUTHORITY

Issue Date: December 27, 2011

Effective Date: December 27, 2011

On December 12, 2011, the Staff of the Missouri Public Service Commission filed a motion to cancel the certificate of service authority to provide pay telephone service granted to Sterling Payphones, LLC ("Company"). The Company was granted a certificate on December 3, 2007 in File No. PA-2008-0152.

In support of its motion, the Staff states that the Commission's Budget and Fiscal Service Department sent correspondence to the Company which was returned by the U.S. Postal Service marked not deliverable and unable to forward. The Staff attempted to call the Company using its listed telephone contact information, but the number had been disconnected. The Company's former legal counsel did not have any additional information about the status of the Company. Furthermore, the Company is delinquent in the payment of its fiscal year 2011 assessment.

Commission rule 4 CSR 240-2.080 (13) states that responsive pleadings must be filed within ten days. More than ten days have expired since the Staff filed its motion, and the Company has not responded to Staff's motion. The Staff's motion is, therefore, unopposed.

Section 392.410.5, RSMo (Supp. 2010), states that “[a]ny 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.” 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. W.D. 1989).

The Commission has reviewed the Staff’s motion and finding it reasonable shall grant the requested relief.

THE COMMISSION ORDERS THAT:

1. The motion to cancel the certificate of service authority of Sterling Payphones, LLC to provide pay telephone service is granted.
2. The certificate of service authority to provide pay telephone service granted to Sterling Payphones, LLC in File No. PA-2008-0152 is canceled.
3. This order shall become effective on December 27, 2011.
4. This case may be closed on December 28, 2011.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Michael Bushmann, Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 27th day of December, 2011.