

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

In the Matter of the Cancellation of the)
Certificate of Service Authority of)
Southern Telcom Network, Inc.)

Case No. CD-2007-_____

MOTION TO NULLIFY AND CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission nullify and cancel the Certificate of Service Authority it has granted to Southern Telcom Network, Inc. In support of its Motion, the Staff respectfully states as follows:

1. On March 2, 2001, in Case No. TA-2001-285, the Missouri Public Service Commission (Commission) issued an order granting a certificate of service authority to Southern Telcom Network, Inc. to provide basic local telecommunications services. Although the company initially submitted a tariff, the tariff was ultimately withdrawn and the company never had a Commission-approved tariff in effect.

2. On April 20, 2006, Southern Telcom Network, Inc. voluntarily sought bankruptcy protection under Chapter 11 (reorganization) of the Federal bankruptcy code in the Western District of Arkansas in Case No. 3-06-bk-70722. Subsequently, on June 28, 2006, the bankruptcy court approved motions to convert the case to Chapter 7, entailing liquidation of the company, and that liquidation is underway.

3. On May 17, 2007, counsel for the company's bankruptcy trustee indicated that the trustee had no objection to the company's certificate cancellation because the company is no longer providing service in Missouri. See Appendix A.

4. The web site of the Office of the Missouri Secretary of State reports that Southern Telcom Network, Inc. is a Nevada corporation in good standing.

5. In keeping with indications that the company has ceased operations and is being liquidated, Southern Telcom Network, Inc. has not submitted its 2006 annual report to the Commission, although it has submitted all prior reports. The company owes no assessments. No customers have contacted the Commission to make complaints about Southern Telcom Network, Inc. since the commencement of the Commission's Electronic Filing and Information System.

6. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2006), 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). Section 392.410.5 also states that

Unless exercised within a period of one year from the issuance thereof, authority conferred by a certificate of service authority or a certificate of public convenience and necessity shall be null and void.

As the company never filed a tariff, it was never authorized to offer service and thus never could have exercised its certificate.

7. Copies of this Motion are being served upon the company's Missouri registered agent via certified mail; and also upon the company's bankruptcy trustee and the address provided to the Commission by the company.

WHEREFORE, the Staff recommends the Commission nullify and cancel the Certificate of Service Authority it has granted to Southern Telcom Network, Inc. to provide basic local telecommunications services in Case No. TA-2001-285.

Respectfully submitted,

/s/ David A. Meyer

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)
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or electronically mailed to the following this 18th day of May 2007.

/s/ David A. Meyer

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

Jeff City Filing
Registered Agent for Southern Telcom Network, Inc.
222 E. Dunklin
Jefferson City, MO 65101
(via certified mail)

Southern Telcom Network, Inc.
P. O. Box 1348
Siloam Springs, AR 72761-1348

Meyer, David

From: John T. Lee [jtlee.atty@cox-internet.com]
Sent: Thursday, May 17, 2007 4:48 PM
To: Meyer, David
Subject: Re: Southern Telcom Network, Inc. Missouri Public Service Commission certificate
Re: Southern Telcom Network, Inc., Debtor
Case No. 3:06-bk-70722 (Chapter 7); U.S.B.C, W.D. Ark.

Mr. Meyer:

The above Debtor commenced its Chapter 7 bankruptcy proceeding on April 20, 2006 in the U. S. Bankruptcy Court for the Western District of Arkansas. The case was converted to a Chapter 7 proceeding by the Court's July 19, 2006 Order, and I was appointed Trustee by the Office of the United States Trustee.

As Trustee, I have not operated the Debtor's business, and my understanding is that it ceased operations at some point prior to conversion. I have no objection to the cancellation of the Debtor's Certificate of Service Authority.

I do call to your attention that the principals of the Debtor corporation have other entities that may be operating in Missouri under the Debtor's Certificate.

John T. Lee, Trustee
P. O. Box 1348
Siloam Springs, AR 72761
479-524-2337
Fax 479-524-3693

----- Original Message -----

From: Meyer, David
To: jtlee.atty@cox-internet.com
Cc: Kohly, Sherri
Sent: Wednesday, May 16, 2007 4:36 PM
Subject: Southern Telcom Network, Inc. Missouri Public Service Commission certificate cancellation

Mr. Lee,

As we discussed, attached is a draft pleading that I propose to submit to the Missouri Public Service Commission to seek cancellation of the company's certificate of service authority. Doing so will remove any future requirements to submit statements of revenue, annual reports, and other required filings, but the company will need to seek a new certificate from the Commission should it choose to provide telecommunications service in Missouri in the future.

<<CD-2007-0 Southern Telecom.doc>>

If the company is no longer providing telecommunications service in Missouri, then please let us know whether you as trustee have any objection if the company's certificate of service authority is cancelled. I will attach your reply to the motion (see paragraph 3).

David A. Meyer
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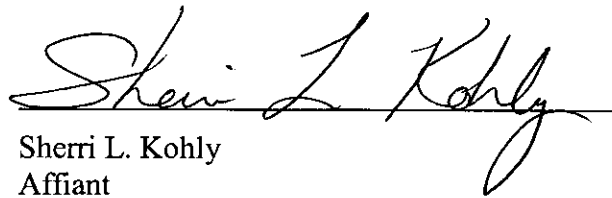
Appendix A

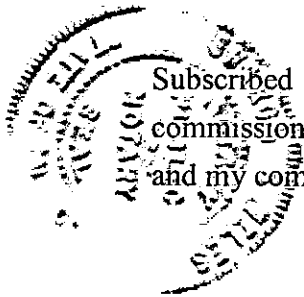
5/18/2007

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 18th day of May 2007. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on October 23, 2010.


NOTARY PUBLIC

SHARON S. WILES
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: October 23, 2010
Commission Number: 06429091