

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

In the Matter of the Cancellation of the)
Certificate of Service Authority and)
Accompanying Tariff of @Link)
Networks, Inc. d/b/a At Link Networks,)
Inc.

Case No. TD-2005-

**MOTION TO OPEN CASE AND CANCEL CERTIFICATE OF SERVICE
AUTHORITY AND TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Motion to Open Case and Cancel Certificate of Service Authority and Tariff, respectfully states as follows:

1. On December 30, 1999, the Missouri Public Service Commission (Commission) filed an Order Approving Merger and Name Change and Tariff in Case Nos. TM-2000-343 and TM-2000-344. The order approved the merger between Dakota Services Limited, a certificated, competitive interexchange and nonswitched local exchange carrier with @Link Merger Sub, Inc., as well as approving a name change to @Link Networks, Inc. d/b/a At Link Networks, Inc. (At Link). The company's P.S.C. Mo Tariff No. 1 was also approved.

2. At Link cancelled P.S.C. Mo. Tariff No. 1 and replaced it with P.S.C. Mo. No. 2, effective January 29, 2001. (Tariff File No. 200100559).

3. On October 26, 2001, in Case No. TA-2000-521, the Commission issued its Order Closing Case wherein it recognized that At Link's assets had been seized and also nullified At Link's Basic Certificate of Service Authority to provide basic local telecommunication services.

4. On March 15, 2002, a notice was filed with the Commission, essentially stating that At Link ceased all business operations and that its assets were seized by Nortel Networks,

Inc. The notice also included dissolution documents for Delaware and Wisconsin. A copy of said notice is attached hereto and made a part hereof.

5. Notices and other correspondence mailed to At Link, dated October 2001, May and October 2003, and January 20, 2005, were returned by the post office as undeliverable.

6. According to the Missouri Secretary of State's website, At Link was administratively dissolved on September 4, 2002.

7. Staff believes that At Link is no longer in business and that its certificate of service authority to provide interexchange and nonswitched local exchange telecommunications services should be cancelled, as well as tariff P.S.C. Mo. No. 2.

8. Staff has performed an investigation and has determined that At Link has not filed its FYs 2002, 2003, or 2004 annual reports nor has it sent in Statements of Revenue for FYs 2004 and 2005. At Link owes no assessments.

9. The Commission has the authority to cancel a telecommunications company certificate pursuant to Section 392.410.5, RSMo Supp. 2004, 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).

10. Since At Link appears to be out of business and mail has been returned, Staff is unable to provide service of this pleading to At Link. Therefore, the Staff is serving this pleading on the registered agent of At Link 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.”

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of @Link Networks, Inc. d/b/a At Link Networks Inc., to provide interexchange telecommunications services and non switched local and tariff, PSC Mo. No. 2.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ Mary Weston
Mary Weston
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Certificate of Service

I hereby certify that copies of the foregoing have been sent by certified mail, hand delivered or transmitted by facsimile or electronic mail to all parties of record as shown on the attached service list this 29th day of March 2005.

/s/ Mary Weston

**Office of the Public Counsel
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C/O Secretary of State
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