

The Staff of the Missouri Public
Service Commission,

Complainant,

v.

PhoneHost Communications, LLC,

Respondents.

PowerComm Broadband, LLC, d/b/a New Dawn Fiber and PhoneHost Communications, LLC, but admitted that Mr. Geeo and Mr. Mann had dealt in business together. Staff filed its *Complaint* based on Mr. Mann's insistence that PowerComm Broadband, LLC, d/b/a New Dawn Fiber received certain telecommunications services from PhoneHost, LLC, the similarity of the company's name to PhoneHost Communications, LLC, and Ms. Blauvelt's admittance that Mr. Mann and Mr. Geeo had dealt in business together. Additionally, PhoneHost Communications, LLC, filed Articles of Organization with the Missouri Secretary of State August 29, 2017, stating the purpose of its organization as, "to provide communications services."

3. Through discovery in the course of its investigation, Staff has determined that Jeremy Geeo, owner of PhoneHost Communications, LLC, managed the operations of PhoneHost, LLC, until April 2018 and that PhoneHost, LLC, had a working relationship with PowerComm Broadband, LLC, d/b/a New Dawn Fiber. However, Staff can find no direct link between PhoneHost Communications, LLC, and PowerComm Broadband, LLC, d/b/a New Dawn Fiber. Additionally, Mr. Geeo has attested in an affidavit filed April 13, 2018, that PhoneHost Communications, LLC, has never provided telecommunications services in the state of Missouri and has never had a relationship with PowerComm Broadband, LLC, d/b/a New Dawn Fiber.

4. Staff now files this *Motion to Dismiss* as it has completed its investigation and can find no reason to proceed further with an action against PhoneHost Communications, LLC. However, should PhoneHost Communications, LLC, decide to begin offering telecommunications services in the state of Missouri Staff would ask that it obtain the proper certification prior to offering such services. Should PhoneHost

Communications, LLC, begin offering telecommunications services in Missouri but fail to obtain proper certification Staff will open a new complaint against the Company seeking damages.

WHEREFORE, Staff prays that the Commission will grant this *Motion to Dismiss*; Staff prays that the Commission grant this *Motion* without prejudice to permit Staff to file a new complaint against PhoneHost Communications, LLC, in the future should it begin providing telecommunications services in Missouri without proper certification; and grant such other and further relief as the Commission considers just in the circumstances.

/s/ Whitney Payne

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 16th day of July, 2018, to all counsel of record.

/s/Whitney Payne