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1101 Walnut, Suite 1710, Kansas City, MO 64106
Telephone 816-842-5711 Facsimile 816-842-5382
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FILED³

APR 26 2004

Missouri Public
Service Commission

April 23, 2004

Dana K. Joyce
General Counsel
c/o Bruce H. Bates
Associate General Counsel
Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

**RE: The Staff of the Missouri Public Service Commission, Complainant,
v. Corrigan Associates Missouri Limited Partnership, Respondent
Case No. TC-2004-0389**

Dear Mr. Bates:

I, as Property Manager of the building commonly known as 1828 Walnut, Kansas City, Missouri 64108, received another copy of the above-referenced "Complaint". It was sent to 1828 Walnut via certified mail and was signed for my one of the tenants in the building in error.

Once again, please be advised that the Respondent named in the Complaint, being Corrigan Associates Missouri Limited Partnership, is not the owner of the building. Additionally, I am not the agent for Corrigan Associates Missouri Limited Partnership. I do not know who the agent is. The letter sent to Corrigan Associates Missouri Limited Partnership, which I received, was improperly sent and was not service, i.e., they did not receive it, and I am not their agent.

I was unable to forward the Complaint to Corrigan Associates Limited Partnership because I do not know their address and/or their contact.



If you have any questions, please don't hesitate to call me.

Very truly yours,

A handwritten signature in cursive script that reads "Kelly Rose".

Kelly J. Rose
Senior Property Manager
1828 Walnut
Kansas City, Missouri 64108

cc: John Coffman, Esq.
Office of the Public Counsel
P.O. Box 7800
Jefferson City, Missouri 65102

Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102
Attention: Executive Director



State of Missouri

Office of Secretary of State

No. 703 1010 0002 6631 5542

To CORRIGAN ASSOCIATES MISSOURI LIMITED PARTNERSHIP

1828 WALNUT KANSAS CITY, MO 64108

Name of defendant

Last known residence or place of abode

You will take notice that original process in suit against you, a copy of which is hereto attached was duly served upon you at Jefferson City, Cole County, Missouri, by serving same on the Secretary of State, State of Missouri, or a Deputy.

Dated at Jefferson City, Missouri, this 30th day of MARCH, 20 04.

STAFF OF THE PUBLIC SERVICE COMMISSION

Plaintiff

BRUCE H BATES

Attorney for Plaintiff

P.O. BOS 360 JEFFERSON CITY, MO 65102

Address of Attorney for Plaintiff

Matt Blunt

Secretary of State

Mailed by restricted United States mail "Deliver to Addressee Only."

Process was served on Secretary of State or Deputy on MARCH 30 20 04 at 10:00AM
(Date) (Hour)

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file 2-13-04

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service
Commission,)

Complainant,)

v.)

Corrigan Associates Missouri Limited
Partnership,)

Respondent.)

Case No. TC-2004-0389

COMPLAINT

COMES NOW the Staff of the Missouri Public Service Commission ("Staff") and initiates its complaint pursuant to Section 386.390 and 4 CSR 240-2.070, against Corrigan Associates Missouri Limited Partnership (the "Company") for violation of the Commission's statutes and rules relating to annual report filings. In support of its complaint, Staff respectfully states as follows:

GENERAL ALLEGATIONS

1. Respondent Corrigan Associates Missouri Limited Partnership is a "telecommunications company" and "public utility" as defined in Section 386.020 RSMo (2000) and is subject to the jurisdiction of the Missouri Public Service Commission pursuant to Section 386.250. The Commission granted the Company a certificate of service authority to provide shared tenant services in Case No. TA-89-92 on October 6, 1989. The Company has provided the following contact information to the Commission:

Corrigan Associates Missouri Limited Partnership
1828 Walnut
Kansas City, MO 64108

The Company has no listed registered agent, according to the records of the Missouri Secretary of State's Office.

2. Section 386.390.1 authorizes the Commission to entertain a complaint "setting forth any act or thing done or omitted to be done by a public utility in violation of any law, or of any rule, order or decision" of the Commission.

3. Commission practice Rule 4 CSR 240-2.070(1) provides that the Commission's Staff, through the General Counsel, may file a complaint.

4. The Missouri courts have imposed a duty upon the Public Service Commission to first determine matters within its jurisdiction before proceeding to those courts. As a result, "[t]he courts have ruled that the Division cannot act only on the information of its staff to authorize the filing of a penalty action in circuit court; it can authorize a penalty action only after a contested hearing." *State ex rel. Sure-Way Transp., Inc. v. Division of Transp., Dept. of Economic Development, State of Mo.*, 836 S.W.2d 23, 27 (Mo.App. W.D. 1992) (relying on *State v. Carroll*, 620 S.W.2d 22 (Mo. App. 1981)); see also *State ex rel. Cirese v. Ridge*, 138 S.W.2d 1012 (Mo.banc 1940). If the Commission determines after a contested hearing that the Company failed, omitted, or neglected to file its annual report and/or pay its annual assessment, the Commission may then authorize its General Counsel to bring a penalty action in the circuit court as provided in Section 386.600.

COUNT ONE

5. Section 392.210.1 states that telecommunications companies must "file an annual report with the Commission at a time and covering the yearly period fixed by the commission."

6. Commission Rule 4 CSR 240-3.540(1) requires all telecommunications companies to file their annual reports on or before April 15 of each year.

7. On February 3, 2003, the Executive Director of the Commission sent all regulated utilities, including Corrigan Associates Missouri Limited Partnership, a letter notifying them of the requirement to file an annual report covering the calendar year 2002, together with the

appropriate form for the Company to complete and return to the Commission and instructions on how the Company may complete its filing electronically. The letter was sent to the address that was current in the Commission's Electronic Filing and Information System ("EFIS") at that time, and the letter was not returned.

8. The Company never returned a completed form, nor did it file its annual report electronically; and as of the date of this pleading, has not filed its 2002 Annual Report. See Affidavit of Janis Fischer, attached to this Complaint as Exhibit A.

9. Section 392.210.1 provides that "[i]f any telecommunications company shall fail to make and file its annual report as and when required or within such extended time as the commission may allow, such company shall forfeit to the state the sum of one hundred dollars for each and every day it shall continue to be in default with respect to such report...."

PRAYER FOR RELIEF

WHEREFORE, Staff now requests that the Commission open a complaint case pursuant to Section 386.390; and, after hearing, find that Corrigan Associates Missouri Limited Partnership failed, omitted, or neglected to file its 2002 Annual Report with the Commission as required by Missouri statute and Commission orders; and authorize its General Counsel to bring a penalty action against the Company in the circuit court as provided in Section 386.600, based on the statutory penalties set forth in Section 392.210.1 (for failing to file annual reports).

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ Bruce H. Bates

Bruce H. Bates
Associate General Counsel
Missouri Bar No. 35442

Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-7434 (Telephone)
(573) 751-9285 (Fax)
bruce.bates@psc.mo.gov (E-Mail)

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 13th day of February 2004.

/s/ Bruce H. Bates

Corrigan Associates Missouri Limited Partnership
1828 Walnut
Kansas City, MO 64108

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

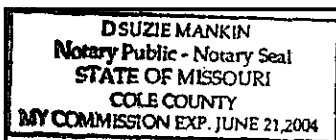
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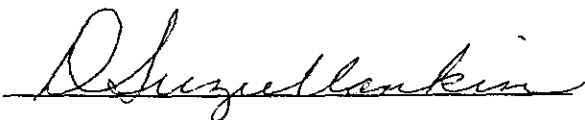
STATE OF MISSOURI)
)
COUNTY OF COLE)

I, Janis E. Fischer, Utility Regulatory Auditor IV, of the Commission's Auditing Department, first being duly sworn on my oath state that the Public Service Commission's records do not reflect the receipt of the 2002 Annual Report from Corrigan Associates Missouri Limited Partnership.


Janis E. Fischer

Subscribed and sworn to before me this 13th day of February, 2004.




NOTARY PUBLIC