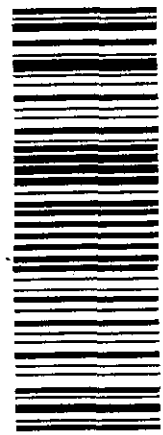


SERVICE COMMISSION  
X 360  
SON CITY MO 65102

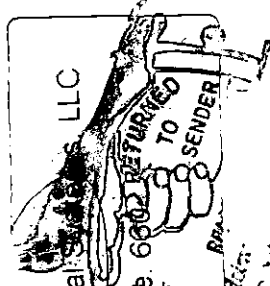
Notified  
9/9/09  
9/9/09  
9/9/09



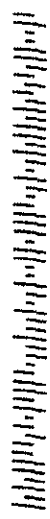
7007 0710 0002 2048 0707



Communicate Technological LLC  
Legal Department  
2646 South Loop West, Ste. 6002  
Houston, TX 77054



FILED  
September 9, 2009  
Data Center  
Missouri Public  
Service Commission



**SENDER: COMPLETE THIS SECTION**

- ☐ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Communicate Technological Systems  
Legal Department  
2646 South Loop West, Ste. 660  
Houston, TX 77054

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☐ Agent  
☒ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number 7007 0710 0002 2048 0707  
(Transfer from)

PS Form 3811, February 2004 Domestic Return Receipt

102595-02-M-1540

TC-09-0440 10/23/04

On June 17, 2009,<sup>1</sup> the Staff of the Missouri Public Service Commission filed a complaint against Communicate Technological Systems, L.L.C. ("CTS"). A copy of the complaint is enclosed. Under Commission Rule 4 CSR 240-2.070, CTS has 30 days from the date of this notice and order to file an answer or to file notification that the complaint has been satisfied. Since this notice is being issued on June 23, CTS' response is due by July 23.

All pleadings shall be mailed to:

Secretary of the Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102-0360;

or filed electronically with the Commission's Electronic Filing and Information System.

**THE COMMISSION ORDERS THAT:**

1. Communicate Technological Systems, L.L.C. shall, no later than July 23, 2009, file an answer to this complaint.
2. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Harold Stearley, Senior Regulatory Law Judge  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 23rd day of June, 2009.

---

<sup>1</sup> All dates throughout this order refer to the year 2009 unless otherwise noted.

The Staff of the Missouri  
Public Service Commission,

V.

Respondent.

**Case No.** \_\_\_\_\_

**COMES NOW**, the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and initiates this Complaint pursuant to Section 386.390 RSMo (2000)<sup>1</sup> and Rule 4 CSR 240-2.070, against Communicate Technological Systems, L.L.C. (“Communicate” or “the Company”) for violation of Section 392.210.1 and Rule 4 CSR 240-3.540(1) relating to the filing of annual reports. In support of its Complaint, Staff respectfully states as follows:

2. The Company is incorporated under the laws of the State of Delaware and is listed as an active limited liability corporation by the Missouri Secretary of State.

CT Corporation System  
120 South Central Avenue

<sup>1</sup> All references to statutory sections refer to the Revised Statutes of Missouri (2000), as currently supplemented.

Clayton, MO 63105

4. The Company has provided the following contact information to the Commission:

Communicate Technological Systems, LLC  
2646 South Loop West, Suite 660  
Houston, TX 77054

5. In an Order<sup>2</sup> effective June 11, 1999, the Commission granted Communicate a certificate of service authority to provide intrastate interexchange telecommunications services in the State of Missouri.

6. 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.” 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. The Company has failed to file annual reports for calendar years 2006, 2007 and 2008.

8. On January 19, 2007, January 15, 2008, and January 30, 2009, the Executive Director of the Commission e-mailed or mailed to Communicate a message notifying the Company of the requirement to file an annual report covering the calendar years 2006, 2007 and 2008, respectively. *See Exhibit A.* Enclosed with each letter the Executive Director sent the appropriate form for the Company to complete and return to the Commission along with instructions on how the Company could complete its filing electronically. This correspondence was sent to the address that was current in the Commission’s Electronic Filing and Information System (“EFIS”). In addition to the correspondence sent in January for each year’s annual report, on April 19, 2007, May 27, 2008, October 14, 2008, and May 4, 2009, respectively, the

---

<sup>2</sup> See *Order Approving Interexchange Certificate of Service Authority and Order Approving Tariff*, effective June 11, 1999, in Commission Case No. TA-99-537.

General Counsel of the Commission mailed Communicate a letter notifying the Company that the Commission had not yet received its annual report for the appropriate year and would be subject to legal action under state law for failure to submit an annual report on time. *See Exhibit B.*

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

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

11. 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...."

12. If the Commission determines after a contested hearing that the Company failed, omitted, or neglected to file its annual report, the Commission may then authorize its General Counsel to bring a penalty action in the circuit court as provided for in Section 386.600.

#### **PRAYER FOR RELIEF**

**WHEREFORE**, Staff now requests that the Commission find that Communicate Technological Systems, L.L.C., failed, omitted, or neglected to file its 2006, 2007 and 2008 annual reports as required by Missouri statute; and authorize its General Counsel to bring a penalty action against the Company in the circuit court as provided in Section 386.600 for the statutory penalties set forth in Sections 392.210.1.

Respectfully submitted,

/s/ Samuel D. Ritchie

Samuel D. Ritchie

Legal Counsel

Missouri Bar No. 61167

Attorney for the Staff of the  
Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 751-4140 (Telephone)

(573) 751-9285 (Fax)

[samuel.ritchie@psc.mo.gov](mailto:samuel.ritchie@psc.mo.gov)





**Commissioners**

**JEFF DAVIS**  
Chairman

**CONNIE MURRAY**

**STEVE GAW**

**ROBERT M. CLAYTON III**

**LINWARD "LIN" APPLING**

**Missouri Public Service Commission**

POST OFFICE BOX 360  
JEFFERSON CITY MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.mo.gov>

**WESS A. HENDERSON**  
Executive Director

**DANA K. JOYCE**  
Director, Administration and  
Regulatory Policy

**ROBERT SCHALLENBERG**  
Director, Utility Services

**WARREN WOOD**  
Director, Utility Operations

**COLLEEN M. DALE**  
Secretary/Chief Regulatory Law Judge

**KEVIN A. THOMPSON**  
General Counsel

**January 19, 2007**

**ATTN: Annual Report Representative \***  
**Communicate Technological Systems, LLC - IXC**  
**2646 South Loop West, Ste. 660**  
**Houston, TX 77054**

**RE: Calendar Year 2006 Annual Report**

**IMPORTANT NOTICE TO  
ALL MISSOURI PUBLIC UTILITIES**

Pursuant to Section 392.210, RSMo., Section 393.140, RSMo., and the rules at 4 CSR 240-3.540 (Telecommunications Companies), public utilities are required to submit an annual report to the Missouri Public Service Commission.

**Please Note:**

- ✓ Due on or before **April 15, 2007**
- ✓ The form(s) submitted to the Commission must be originals in loose-leaf format (in lieu of a hard copy, an electronic version may be submitted in the Commission's Electronic Filing and Information System, EFIS).
- ✓ Attempts to substitute forms such as stockholder reports without concurrently filing official Commission forms with appropriate cross-references will be considered non-compliant.
- ✓ Complete each question fully and accurately, even if it has been answered in a previous annual report. Enter the word "None", "0" or "N/A" where it truly and completely states the fact. An unanswered question will result in a deficiency notice requiring an additional response.
- ✓ Each utility must submit a report even if it had NO revenues during the reporting year.

**Reports that do not meet these requirements will not be considered "submitted." Utilities will be subject to legal action under state law for failure to submit annual reports on time without a timely extension request. A utility that does not timely file its annual report, or its response to a notice that its annual report is deficient when a response is sought, is subject to a penalty of one hundred dollars for each day that it is late in filing its annual report or response to a notice of deficiency.**

**Requests to submit annual report data under seal:**

Utilities may request classification of selected portions of their annual report as non-public. Please note that all information classified as non-public will still remain subject to potential disclosure as provided under the Missouri open records act (Chapter 610 RSMo) and Section 386.480, RSMo.

*Informed Consumers, Quality Utility Services, and a Dedicated Organization for Missourians in the 21st Century*

**Exhibit A**

January 19, 2007

Page 2 of 2

In order to take advantage of this procedure, the submitter, either through EFIS or in hard copy form, must:

- A. Provide both a fully completed version to be kept under seal and a redacted public version that clearly informs the reader that the redacted information has been submitted under seal. The cover of each version must clearly identify whether it is the public or the non-public version. Each page of each version of the report containing non-public information should be clearly identified as containing such information.
- B. Submit both versions of the annual report with a cover letter stating that the utility is designating some or all of the information in its annual report as confidential information, including the name, phone number and e-mail address (if available) of the person responsible for addressing questions regarding the confidential portions of the annual report.
- C. Prominently attach a detailed affidavit to both versions that identifies the specific types of information to be kept under seal, provides a reason why the specific information should be a closed record, and stating that none of the requested information is available to the public in any format.

**Requests for extension to submit annual report:**

Utilities may request an extension of less than 30 days by 1) submitting a written notification prior to April 15<sup>th</sup> to the Manager of the Data Center (the EFIS option for this is located under "Filing/Submission - Non-case Related Submission - MO PSC Annual Report Extension Request") that states the reason for the extension, and 2) certifying that a copy of the written request was sent to all parties of record in pending cases where the Company's activities are the primary focus (i.e., where the Company is identified as a moving party in the case caption) of the proceeding.

All requests for an extension of 30 days or more must be filed prior to April 15<sup>th</sup> as a legal pleading. If the Company is a corporation or partnership, the pleading must be filed by an attorney licensed to practice in Missouri. If the utility is individually-owned, the Company owner may file this pleading. The pleading must state the reason for the extension and certify that a copy of the written request was sent to all parties of record in pending cases where the Company's activities are the primary focus of the proceeding (i.e., where the Company is identified as a moving party in the case caption). The filing should be submitted in pleading form and comply with the filing requirements of Chapter 2 of 4 CSR 240.

Questions about the annual report form or its content may be submitted to:  
Joan Wandel (573) 751-4785 or by email at [Joan.Wandel@psc.mo.gov](mailto:Joan.Wandel@psc.mo.gov)

The completed document should be submitted under EFIS (accessible from the Commission's Web page <http://www.psc.mo.gov/>) or mailed to:

Manager of the Data Center  
Missouri Public Service Commission  
200 Madison Street, Suite 100, Jefferson City, MO 65101  
(P.O. Box 360, Jefferson City, MO 65102-0360)

Sincerely,



Wess A. Henderson  
Executive Director

Enclosure



**Commissioners**

**JEFF DAVIS**  
Chairman

**CONNIE MURRAY**

**ROBERT M. CLAYTON III**

**LINWARD "LIN" APPLING**

**TERRY JARRETT**

**Missouri Public Service Commission**

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573-751-3234  
573-751-1847 (Fax Number)  
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**DANA K. JOYCE**  
Director, Administration and  
Regulatory Policy

**ROBERT SCHALLENBERG**  
Director, Utility Services

**NATELLE DIETRICH**  
Director, Utility Operations

**COLLEEN M. DALE**  
Secretary/Chief Regulatory Law Judge

**KEVIN A. THOMPSON**  
General Counsel

**January 15, 2008**

**RE: Calendar Year 2007 Annual Report**

**IMPORTANT NOTICE TO  
ALL MISSOURI PUBLIC UTILITIES**

Pursuant to Section 392.210, RSMo., Section 393.140, RSMo., and the rules at 4 CSR 240-3.540 (Telecommunications Companies), public utilities are required to submit an annual report to the Missouri Public Service Commission.

**Please Note:**

- ✓ Due on or before **April 15, 2008.**
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- ✓ Each utility must submit a report even if it had NO revenues during the reporting year.

**Reports that do not meet these requirements will not be considered "submitted." Utilities will be subject to legal action under state law for failure to submit annual reports on time without a timely extension request. A utility that does not timely file its annual report, or its response to a notice that its annual report is deficient when a response is sought, is subject to a penalty of one hundred dollars for each day that it is late in filing its annual report or response to a notice of deficiency.**

**Requests to submit annual report data under seal:**

Utilities may request classification of selected portions of their annual report as non-public. Please note that all information classified as non-public will still remain subject to potential disclosure as provided under the Missouri open records act (Chapter 610 RSMo) and Section 386.480, RSMo..

In order to take advantage of this procedure, the submitter, either through EFIS or in hard copy form, must:

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- C. Prominently attach a detailed affidavit to both versions that identifies the specific types of information to be kept under seal, provides a reason why the specific information should be a closed record, and stating that none of the requested information is available to the public in any format.

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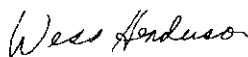
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Questions about the annual report form or its content may be submitted to:  
Joan Wandel (573) 751-4785 or by email at [Joan.Wandel@psc.mo.gov](mailto:Joan.Wandel@psc.mo.gov)

The completed document should be submitted under EFIS (accessible from the Commission's Web page <http://www.psc.mo.gov/>) or mailed to:

Manager of the Data Center  
Missouri Public Service Commission  
200 Madison Street, Suite 100, Jefferson City, MO 65101  
(P.O. Box 360, Jefferson City, MO 65102-0360)

Sincerely,



Wess A. Henderson  
Executive Director

Enclosure

**Senn, Nikki**

---

**From:** Mail Delivery Subsystem [MAILER-DAEMON@MOMAIL1.mo.gov]  
**Sent:** Tuesday, January 15, 2008 4:11 PM  
**To:** annualreports  
**Subject:** Return receipt

**Attachments:** ATT1015283.txt; ATT1015284.txt



ATT1015283.txt (434 B)



ATT1015284.txt (1 KB)

The original message was received at Tue, 15 Jan 2008 16:10:58 -0600 from [10.74.4.4]

----- The following addresses had successful delivery notifications ----- <mark@ctsld.com> (relayed to non-DSN-aware mailer)

----- Transcript of session follows ----- <mark@ctsld.com>... relayed; expect no further notifications

The 2007 annual report form distribution for Communicate Technological Systems, LLC was completed through e-mail to Mark Hendy (mark@ctsld.com), who was listed in EFIS as a company contact as of January 2, 2008.

**2007 Annual Report Form(s) from the Missouri Public Service Commission - CLEC-IXC**

annualreports

**Sent:** Tuesday, January 15, 2008 4:07 PM**Importance:** High**Attachments:** 2007 AR cover letter Telco~1.pdf (39 KB) ; CLEC-IXC Annual Report 200~1.pdf (447 KB) ; CLEC-IXC Annual Report 2007.pdf (52 KB) ; CLEC\_IXC\_Annual\_Report\_2007.xls (99 KB)

---

This correspondence serves as electronic distribution of the 2007 Annual Report form for companies with the registered utility type of Telephone (and a subtype of CLEC, CLEC/IXC, or IXC) at the Missouri Public Service Commission. A paper copy of the document will not be forwarded.

Review the cover letter attached for more details about the annual report form requirements. The forms are also available on the Missouri Public Service Commission website (<http://www.psc.mo.gov/forms>). The 2007 Annual Report form is due to the Missouri Public Service Commission on or before April 15, 2008. The attached electronic documents must be completed and returned using one of the acceptable methods.

Different formats of the form have been provided for your convenience. Updating Adobe Acrobat Reader to the newest version is recommended for the fillable form.

- The attached form (CLEC-IXC Annual Report 2007 Fillable Form.pdf) is designed to be filled out online in PDF format using Adobe Acrobat. After completing, save the file to your computer before submission in EFIS. For submission by mail, remember to sign the affidavit before sending. Please answer all questions carefully and completely, and send the completed form as instructed in the cover letter.
- Another version of the form (CLEC-IXC Annual Report 2007.pdf) is designed to be printed and filled out by hand. Please answer all questions carefully and completely, and send the completed form as instructed in the cover letter.
- An Excel document (CLEC-IXC Annual Report 2007.xls) is also attached for on-screen input of information. After completing, save the file to your computer before submission in EFIS.

If you have any questions regarding the form(s), please contact Joan Wandel by phone (573-751-4785) or by e-mail ([Joan.Wandel@psc.mo.gov](mailto:Joan.Wandel@psc.mo.gov)).

Thank you.

**Missouri Public Service Commission**  
PO Box 360  
Jefferson City, MO



**Commissioners**  
**ROBERT M. CLAYTON III**  
Chairman  
**CONNIE MURRAY**  
**JEFF DAVIS**  
**TERRY JARRETT**  
**KEVIN GUNN**

## ***Missouri Public Service Commission***

POST OFFICE BOX 360  
JEFFERSON CITY MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.mo.gov>

**WESS A. HENDERSON**  
Executive Director  
**DANA K. JOYCE**  
Director, Administration and  
Regulatory Policy  
**ROBERT SCHALLENBERG**  
Director, Utility Services  
**NATELLE DIETRICH**  
Director, Utility Operations  
**COLLEEN M. DALE**  
Secretary/Chief Regulatory Law Judge  
**KEVIN A. THOMPSON**  
General Counsel

**January 30, 2009**

**RE: Calendar Year 2008 Annual Report**

### **IMPORTANT NOTICE TO ALL MISSOURI PUBLIC UTILITIES**

Pursuant to Section 392.210, RSMo., Section 393.140, RSMo., and the rules at 4 CSR 240-3.540 (Telecommunications Companies), public utilities are required to submit an annual report to the Missouri Public Service Commission.

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- ✓ Complete each question fully and accurately, even if it has been answered in a previous annual report. Enter the word "None", "0" or "N/A" where it truly and completely states the fact. An unanswered question will result in a deficiency notice requiring an additional response.
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**Reports that do not meet these requirements will not be considered "submitted." Utilities will be subject to legal action under state law for failure to submit annual reports on time without a timely extension request. A utility that does not timely file its annual report, or its response to a notice that its annual report is deficient when a response is sought, is subject to a penalty of one hundred dollars for each day that it is late in filing its annual report or response to a notice of deficiency.**

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In order to take advantage of this procedure, the submitter, either through EFIS or in hard copy form, must:

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- C. Prominently attach a detailed affidavit to both versions that identifies the specific types of information to be kept under seal, provides a reason why the specific information should be a closed record, and stating that none of the requested information is available to the public in any format.

**Requests for extension to submit annual report:**

Utilities may request an extension of less than 30 days by 1) submitting a written notification prior to April 15<sup>th</sup> to the Data Center (the EFIS option for this is located under "Filing/Submission - Non-case Related Submission - MO PSC Annual Report Extension Request") that states the reason for the extension, and 2) certifying that a copy of the written request was sent to all parties of record in pending cases where the Company's activities are the primary focus (i.e., where the Company is identified as a moving party in the case caption) of the proceeding.

All requests for an extension of 30 days or more must be filed prior to April 15th as a legal pleading. If the Company is a corporation or partnership, the pleading must be filed by an attorney licensed to practice in Missouri. If the utility is individually-owned, the Company owner may file this pleading. The pleading must state the reason for the extension and certify that a copy of the written request was sent to all parties of record in pending cases where the Company's activities are the primary focus of the proceeding (i.e., where the Company is identified as a moving party in the case caption). The filing



January 30, 2009  
Page 3 of 3

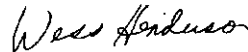
should be submitted in pleading form and comply with the filing requirements of Chapter 2 of 4 CSR 240.

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The completed document should be submitted under EFIS (accessible from the Commission's Web page <http://www.psc.mo.gov/>) or mailed to:

Data Center  
Missouri Public Service Commission  
200 Madison Street, Suite 100, Jefferson City, MO 65101  
(P.O. Box 360, Jefferson City, MO 65102-0360)

Sincerely,



Wess A. Henderson  
Executive Director

Enclosure

**Senn, Nikki**

---

**From:** Mail Delivery Subsystem [MAILER-DAEMON@momail2.mo.gov]  
**To:** mark@ctslsld.com  
**Sent:** Wednesday, March 04, 2009 4:59 PM  
**Subject:** Relayed: 2008 Annual Report Form from the Missouri Public Service Commission - CLEC-IXC-VOIP

**Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:**

mark@ctslsld.com

← Email addresss of Mark Hendy, the Annual Report Representative or Official Representative listed in EFIS as of January 2, 2009.

**Subject:** FW: 2008 Annual Report Form from the Missouri Public Service Commission - CLEC-IXC-VOIP



**Commissioners**

**JEFF DAVIS**  
Chairman

**CONNIE MURRAY**

**STEVE GAW**

**ROBERT M. CLAYTON III**

**LINWARD "LIN" APLING**

**Missouri Public Service Commission**

POST OFFICE BOX 360  
JEFFERSON CITY MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.mo.gov>

April 19, 2007

**WESS A. HENDERSON**  
Executive Director

**DANA K. JOYCE**  
Director, Administration and  
Regulatory Policy

**ROBERT SCHALLENBERG**  
Director, Utility Services

**WARREN WOOD**  
Director, Utility Operations

**COLLEEN M. DALE**  
Secretary/Chief Regulatory Law Judge

**KEVIN A. THOMPSON**  
General Counsel

Communicate Technological Systems, LLC - IXC  
ATTN: Official Representative  
2646 South Loop West, Ste. 660  
Houston, TX 77054

Dear Sir/Madam:

Pursuant to Section 392.210, RSMo Section 393.140, RSMo and the rules at 4 CSR 240-3.165 (Electric Utilities), 4 CSR 240-3.245 (Gas Utilities), 4 CSR 240-3.335 (Sewer Utilities), 4 CSR 240-3.435 (Steam Heating Utilities), 4 CSR 240-3.540 (Telecommunications Companies), and 4 CSR 240-3.640 (Water Utilities), public utilities are required to submit an annual report to the Missouri Public Service Commission on or before April 15th.

**This letter is a notification that the Missouri Public Service Commission has not received from your company its required 2006 Annual Report as of the date of this letter.**

If your company does not file its report on or before April 15th, it will be subject to legal action under state law for failure to submit an annual report on time. A utility that does not timely file its annual report is subject to a penalty of one hundred dollars and an additional penalty of one hundred dollars for each day that it is late in filing its annual report.

Questions about the annual report form or its content may be submitted to:

Joan Wandel (573) 751-4785 or by email at [Joan.Wandel@psc.mo.gov](mailto:Joan.Wandel@psc.mo.gov)

The completed document should be submitted under EFIS (accessible from the Commission's Web page <http://www.psc.state.mo.us/>) or mailed to:

Manager of the Data Center  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
P.O. Box 360  
Jefferson City, MO 65102-0360

Sincerely,

Kevin A. Thompson  
General Counsel



**Commissioners**

**JEFF DAVIS**  
Chairman

**CONNIE MURRAY**

**ROBERT M. CLAYTON III**

**TERRY JARRETT**

**KEVIN GUNN**

**Missouri Public Service Commission**

POST OFFICE BOX 360  
JEFFERSON CITY MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.mo.gov>

**WESS A. HENDERSON**  
Executive Director

**DANA K. JOYCE**  
Director, Administration and  
Regulatory Policy

**ROBERT SCHALLENBERG**  
Director, Utility Services

**NATELLE DIETRICH**  
Director, Utility Operations

**COLLEEN M. DALE**  
Secretary/Chief Regulatory Law Judge

**KEVIN A. THOMPSON**  
General Counsel

May 27, 2008

Mark Hendy  
Communicate Technological Systems, LLC  
2646 South Loop West, Suite 660  
Houston, TX 77054

Dear Mark Hendy:

Pursuant to Section 392.210, RSMo Section 393.140, RSMo and the rules at 4 CSR 240-3.165 (Electric Utilities), 4 CSR 240-3.245 (Gas Utilities), 4 CSR 240-3.335 (Sewer Utilities), 4 CSR 240-3.435 (Steam Heating Utilities), 4 CSR 240-3.540 (Telecommunications Companies), and 4 CSR 240-3.640 (Water Utilities), public utilities are required to submit an annual report to the Missouri Public Service Commission on or before April 15th.

**This letter is a notification that the Missouri Public Service Commission has not received from your company its required 2007 Annual Report as of the date of this letter.**

Since your company has not filed its report on or before April 15th, it is subject to legal action under state law for failure to submit an annual report on time. A utility that does not file its annual report in a timely manner is subject to a penalty of one hundred dollars and an additional penalty of one hundred dollars for each day that it is late in filing its annual report. If this has been an oversight, filing of the required annual report no later than **June 13, 2008** will prevent assessment of the applicable penalty.

The completed annual report document should be submitted to the Public Service Commission either through the Electronic Filing and Information System (EFIS), which may be accessed from the Commission's web page (<http://www.psc.mo.gov/>), or by mail to the following address:

Data Center  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
P.O. Box 360  
Jefferson City, MO 65102-0360

If you require assistance submitting the completed annual report in **EFIS**, please contact the Helpdesk by phone (866-365-0924 or 573-526-3648) or by e-mail ( [helpdesk@psc.mo.gov](mailto:helpdesk@psc.mo.gov) ). Questions regarding the annual report form or its content may be submitted to Joan Wandel by telephone (573-751-4785) or by email at [Joan.Wandel@psc.mo.gov](mailto:Joan.Wandel@psc.mo.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "K. A. Thompson", followed by a long horizontal flourish.

Kevin A. Thompson  
General Counsel



Commissioners

JEFF DAVIS  
Chairman

CONNIE MURRAY

ROBERT M. CLAYTON III

TERRY JARRETT

KEVIN GUNN

**Missouri Public Service Commission**

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JEFFERSON CITY MISSOURI 65102  
573-751-3234  
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WESS A. HENDERSON  
Executive Director

DANA K. JOYCE  
Director, Administration and  
Regulatory Policy

ROBERT SCHALLENBERG  
Director, Utility Services

NATELLE DIETRICH  
Director, Utility Operations

COLLEEN M. DALE  
Secretary/Chief Regulatory Law Judge

KEVIN A. THOMPSON  
General Counsel

October 14, 2008

Mark Hendy  
Communicate Technological Systems, LLC  
2646 South Loop West, Suite 660  
Houston, TX 77054

Dear Mr. Hendy:

Your file has been forwarded to the Missouri Public Service Commission (Commission) General Counsel's Office because the Commission did not receive your 2007 Annual Report, and it is now considered delinquent as of April 15, 2008. This letter is to determine the status of your annual report and when we can expect your filing of the report.

- Since your company did not file its report on or before the April 15, 2008 deadline, you are subject to legal action under Section 392.210 or 393.140 (6) RSMo (2000). A utility that does not file its report on time is subject to a penalty of \$100.00, and an additional penalty of \$100.00 for each day that it is late in filing its report.<sup>1</sup> Presently, the potential penalties accrued by your company are in the amount of \$18,300.00.
- If we receive your annual report by Friday, October 24, 2008, we will not proceed with a Complaint case against your company for the applicable penalties.
- Your annual report needs to be sent to:

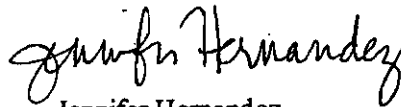
Data Center  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
P. O. Box 360  
Jefferson City, MO 65102-0360

<sup>1</sup> See 4 CSR 240-3.165 (9), 240-3.245 (9), 240-3.335 (9), or 240-3.640 (9).

You may also submit your annual report through the Electronic Filing and Information System (EFIS), which may be accessed from the Commission's web page <http://www.psc.mo.gov/>. If you require assistance submitting the completed annual report in EFIS, please contact the Commission's Information Services Helpdesk by phone (866-365-0924 or 573-526-3648) or by e-mail ([helpdesk@psc.mo.gov](mailto:helpdesk@psc.mo.gov)).

Thank you for your prompt attention to this matter. Should you have any questions, or if I may be of any assistance, please contact me at 573-751-8706 or Steven Reed at 573-751-3015.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Hernandez".

Jennifer Hernandez  
Legal Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65109  
(573)-751-8706  
[jennifer.hernandez@psc.mo.gov](mailto:jennifer.hernandez@psc.mo.gov)



**Commissioners**

**ROBERT M. CLAYTON III**  
Chairman

**CONNIE MURRAY**

**JEFF DAVIS**

**TERRY M. JARRETT**

**KEVIN GUNN**

**Missouri Public Service Commission**

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**WESS A. HENDERSON**  
Executive Director

**DANA K. JOYCE**  
Director, Administration and  
Regulatory Policy

**ROBERT SCHALLENBERG**  
Director, Utility Services

**NATELLE DIETRICH**  
Director, Utility Operations

**VACANT**  
Secretary/Chief Regulatory Law Judge

**KEVIN A. THOMPSON**  
General Counsel

May 4, 2009

Mark Hendy  
Communicate Technological Systems, LLC  
2646 South Loop West, Suite 660  
Houston, TX 77054

Dear Mark Hendy:

Pursuant to Section 392.210.1, RSMo, Section 393.140(6), RSMo, and the Rules at 4 CSR 240-3.165 (Electric Utilities), 4 CSR 240-3.245 (Gas Utilities), 4 CSR 240-3.335 (Sewer Utilities), 4 CSR 240-3.435 (Steam Heating Utilities), 4 CSR 240-3.540 (Telecommunications Companies), and 4 CSR 240-3.640 (Water Utilities), public utilities are required to submit an annual report to the Missouri Public Service Commission on or before April 15th.

**This letter is a notification and warning that the Missouri Public Service Commission has not received from your company its required 2008 Annual Report as of the date of this letter.**

If your company does not file its report by **May 15, 2009**, it will be subject to legal action under state law for failure to submit an annual report on time. A utility that does not timely file its annual report is subject to a penalty of one hundred dollars (\$100) and an additional penalty of one hundred dollars (\$100) for each day that it is late in filing its annual report.

Questions about the annual report form or its content may be submitted to: **Joan Wandel (573) 751-4785** or by email at **[Joan.Wandel@psc.mo.gov](mailto:Joan.Wandel@psc.mo.gov)**. The completed document should be submitted under EFIS (accessible from the Commission's Web page <http://www.psc.mo.gov>) or mailed to:

Manager of the Data Center  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
P.O. Box 360  
Jefferson City, MO 65102-0360

Sincerely,

Kevin Thompson  
General Counsel



**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City,  
Missouri, this 23<sup>rd</sup> day of June 2009.**



A handwritten signature in dark ink, which appears to read "Colleen M. Dale", is written over a horizontal line.

**Colleen M. Dale  
Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**June 23, 2009**

**File No. TC-2009-0440**

General Counsel's Office  
P.O. Box 360  
200 Madison Street, Suite 800  
Jefferson City, MO 65102

Lewis R. Mills, Jr.  
P.O. Box 2230  
200 Madison Street, Suite 650  
Jefferson City, MO 65102

Communicate Technological Systems,  
LLC  
Legal Department  
2646 South Loop West, Ste. 660  
Houston, TX 77054

CT Corporation System  
Registered Agent  
c/o CT Corporation System  
120 South Central Ave.  
Clayton, MO 63105

**Enclosed find a certified copy of a NOTICE in the above-numbered matter(s).**

*Sincerely,*

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

**Colleen M. Dale  
Secretary**