

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

The Staff of the Missouri Public Service Commission,)	
)	
Complainant,)	
)	Case No. TC-2009-0407
v.)	
)	
FamilyTel of Missouri, LLC.)	
)	
Respondent.)	

**MOTION TO CANCEL CERTIFICATES OF SERVICE AUTHORITY
AND ACCOMPANYING TARIFFS**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and respectfully moves that the Missouri Public Service Commission (“Commission”) cancel the certificates of service authority and accompanying tariffs of FamilyTel of Missouri, LLC (“FamilyTel” or “Company”). In support of its *Motion*, the Staff states the following:

1. On August 9, 2002, the Commission in Case No. TA-2002-357 granted the Respondent a certificate of service authority to provide competitive basic local telecommunications services in portions of the state of Missouri, and approved the Company’s proposed tariff, Tariff No. 200200585.
2. On March 10, 2004, the Commission in Case No. XA-2004-0282 granted the Respondent a certificate of service authority to provide interexchange telecommunications services, and approved the company’s proposed tariff, Tariff No. YX-2004-0845.
3. FamilyTel has advised Staff that it seeks to surrender its certificates of service authority. Because FamilyTel has requested cancelation of the Company’s certificates and is no longer

providing services in Missouri, Staff recommends the Commission issue an order canceling the certificates and associated tariffs.

4. Pursuant to Section 392.410.5 RSMo (Supp. 2008) the Commission has the authority to cancel the certificate of service authority of a telecommunications corporation after notice and hearing.

5. A hearing is not necessary if the Commission gives proper notice and opportunity to intervene and no party requests such a hearing. *State ex rel. Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

6. FamilyTel is now current on all Commission assessment and annual reporting requirements.

WHEREFORE, the Staff recommends that after proper notice the Missouri Public Service Commission cancel the certificates of service authority granted to FamilyTel of Missouri, LLC to provide competitive basic local and interexchange telecommunications services and the accompanying tariff File Nos. JC-2003-0572, JC-2004-0639, JC-2004-1085, and YX-2004-0845.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez

Legal Counsel

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail on Mark W. Comley, of Newman, Comley & Ruth, attorneys for FamilyTel of Missouri, LLC, at comleym@ncrpc.com; and The Office of Public Counsel of the State of Missouri, at opcservice@ded.mo.gov, this 4th day of August, 2009.

/s/ Jennifer Hernandez