

The Staff of the Missouri Public Service Commission,  
  
Complainant,  
  
v.  
  
PhoneHost, LLC,  
  
Respondents

**MOTION TO DISMISS**

1. Staff filed a *Complaint* against PhoneHost, LLC, on May 2, 2018. The Commission directed PhoneHost, LLC, to file an answer to Staff's Complaint no later than July 23, 2018. PhoneHost, LLC, to date has not filed an answer or any other pleading in this matter. The Commission issued an *Order* on August 21, 2018, directing Staff to file a dismissal of this matter or indicate that it wished to pursue the matter further. Staff now files this *Motion to Dismiss*.

2. Staff conducted an investigation and issued data requests (DR) on PhoneHost, LLC, to determine if it was offering telecommunications services in the state of Missouri. Based on the responses to its DRs and its investigation, Staff is of the opinion that PhoneHost, LLC, did previously but is not currently offering phone services in Missouri and does not presently have any customers.

3. Staff now files to dismiss this case as it has completed its investigation. Should Staff learn that PhoneHost, LLC, is offering telecommunications services in the state of Missouri, Staff will open a new complaint against the Company seeking damages.

**WHEREFORE**, Staff prays that the Commission will accept its *Motion to Dismiss*; 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 23<sup>rd</sup> day of August, 2018, to all counsel of record.

**/s/ Whitney Payne**