

## National Registered Agents, Inc.

... "NRAI, the best choice for statutory representation"

May 11, 2004

Dale Hardy Roberts  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

FILED<sup>4</sup>

MAY 20 2004

Missouri Public  
Service Commission

RE: Clear Call Telecom, LLC  
Case #TC-2004-0378

Dear Mr. Roberts:

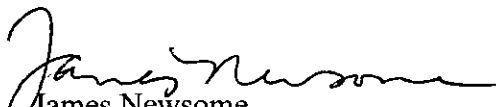
On April 9, 2004, National Registered Agents, Inc. ('NRAI') as registered agent for Clear Call Telecom, LLC received an Order Granting Default in the above titled action.

As registered agent, we attempted to deliver the documents as served to the last known address of the company. The documents have been returned and marked "Attempted Not Known - Return to Sender". NRAI has made every effort to locate the company and has been unable to locate a more current address for Clear Call Telecom, LLC. Returned herewith is the Order Granting Default originally served.

If you should have any questions, please do not hesitate to contact our office.

Thank you.

Very truly yours,

  
James Newsome  
National Registered Agents, Inc.

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 6th day of  
April, 2004.

The Staff of the Missouri Public Service  
Commission,

Complainant,

v.

Clear Call Telecom, LLC,

Respondent.

**Case No. TC-2004-0339**

**ORDER GRANTING DEFAULT**

Syllabus: This order finds Clear Call Telecom, LLC, in default.

On February 4, 2004, the Staff of the Commission filed a complaint against Clear Call Telecom, LLC. In the complaint, Staff alleges that Clear Call Telecom did not file its 2002 annual report. Staff also alleges that Clear Call Telecom did not pay its annual assessment to the Commission for fiscal year 2003. Staff's complaint does not specify the dollar amount of the assessments that Clear Call Telecom failed to pay because Staff is concerned that unless the Commission orders that the assessment amounts may be made public, such disclosure might be improper. For that reason, Staff asks the Commission to formally find that the Staff may publicly disclose the amount of the unpaid assessments. Staff's complaint requests authority to bring a penalty action in circuit court against Clear Call Telecom for its failure to file its annual report, and its failure to pay its annual

assessments, as provided in Section 386.600, RSMo 2000. Staff's complaint requests authority, as provided in Section 386.600, RSMo 2000, to bring a penalty action in circuit court against Clear Call Telecom for its failure to file its annual report.

On February 4, 2004, Staff filed a Notice of Correction of Affidavit. Staff notes that the affidavit of Helen Davis contains a typographical error in that it refers to the "Fiscal Year 2004 annual assessment" instead of the "Fiscal Year 2003 annual assessment." Staff attached a corrected affidavit and requested that the Commission substitute the corrected affidavit. The Commission later granted this request.

On February 18, the Commission issued a Notice of Complaint that informed Clear Call Telecom of Staff's Complaint and the Notice of Correction and directed the company to file an answer within 30 days of the date of the notice. The Notice of Complaint was delivered to Clear Call Telecom by certified mail, return receipt requested, on February 20. Clear Call Telecom's answer was due no later than March 19. Clear Call Telecom did not file an answer.

Commission Rule 4 CSR 240-2.070(9) provides that if a respondent fails to timely respond to a complaint, the Commission may deem the complaint admitted, and may enter an order granting default.<sup>1</sup> Clear Call Telecom has failed to file a timely response to Staff's complaint. Therefore, the Commission finds that Clear Call Telecom is in default and that Staff's allegations are admitted.

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<sup>1</sup> This rule also allows the Commission to set aside a default order if the respondent files a motion to set aside the order within seven days of the issue date of the order granting the default, and if the Commission finds good cause for the respondent's failure to timely respond to the complaint.

The Commission further finds that the amount of Clear Call Telecom's annual Commission assessment should be public information. Therefore, Staff will be authorized to make that information available to the public.

**IT IS THEREFORE ORDERED:**

1. That default is hereby entered against Respondent, Clear Call Telecom, LLC, and the averments of Staff's complaint are deemed admitted.
2. That the General Counsel of the Commission is directed to bring a penalty action against Clear Call Telecom, LLC, in circuit court.
3. That the Staff of the Commission shall treat the amount of Clear Call Telecom, LLC's unpaid annual assessments as public information.
4. That this order shall become effective on April 16, 2004.

**BY THE COMMISSION**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

(SEAL)

Gaw, Ch., Murray,  
and Clayton, CC., concur.

Ruth, Senior Regulatory Law Judge

**STATE OF MISSOURI**

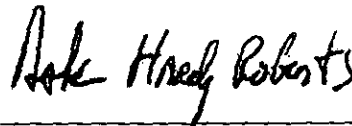
**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**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 6<sup>th</sup> day of April 2004 .**



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**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

**MISSOURI PUBLIC SERVICE COMMISSION**

**April 06, 2004**

**Case No. TC-2004-0339**

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Clear Call Telecom LLC  
300-B East High street  
Jefferson City, MO 65101

**Enclosed find a certified copy of an ORDER in the above-numbered case(s).**

Sincerely,



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**