

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

In the Matter of the Cancellation of the)
Certificate of Service Authority and)
Accompanying Tariff of Ameritel Long)
Distance, Inc.)

Case No. XD-2006-_____

**MOTION TO OPEN CASE AND CANCEL
CERTIFICATE OF SERVICE AUTHORITY AND ACCOMPANYING TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission cancel Ameritel Long Distance, Inc.'s certificate of service authority to provide intrastate interexchange telecommunications services, as well as its tariff, P.S.C. Mo. No. 1. In support of its Motion, the Staff respectfully states as follows:

1. In February 1991, the Commission granted Ameritel Long Distance, Inc. a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri in Case No. TA-91-144. The Commission subsequently approved the company's tariff, P.S.C. Mo. No. 1.

2. At some point subsequent to February 1991, Communigroup of K.C., Inc. appears to have taken over the operations of Ameritel Long Distance, Inc. For at least the past five years, employees of Communigroup of K.C., Inc. has submitted statements of revenue and annual reports on Ameritel Long Distance, Inc.'s behalf. For the past several years, the Commission has been informed that Ameritel Long Distance, Inc., had no Missouri revenues.

3. According to the Missouri Secretary of State's records, Ameritel Long Distance, Inc., was created on October 15, 1990, but its authority to do business in Missouri was revoked on September 18, 1992 for failure to file an annual registration report. See Appendix A. Two

days before, on September 16, 1992, Communigroup of K.C., Inc., obtained the authority to use the fictitious name “Ameritel Long Distance.” See Appendix B.

4. On February 13, 2006, Communigroup of K.C., Inc. sought Chapter 7 bankruptcy protection and commenced the process of liquidating its assets. The company sought and received authority from the federal bankruptcy court to terminate its services by February 28, 2006. See Appendix C. The company has subsequently indicated that it did terminate its services and a trustee’s sale of any remaining furniture, fixtures and equipment has been scheduled for April 28, 2006. As Communigroup of K.C., Inc., has been effectively operating Ameritel Long Distance, Inc., it is appropriate to cancel Ameritel Long Distance, Inc.’s certificate and tariff.

5. Moreover, Ameritel Long Distance, Inc. was a Texas corporation, and as noted above, its authority to do business in the state of Missouri has been revoked for failing to file its annual registration report, according to the Missouri Secretary of State’s office. Section 351.602.3 RSMo. (2000) states that “[t]he authority of a foreign corporation to transact business in this state ceases on the date shown on the certificate revoking its certificate of authority.”

6. Ameritel Long Distance, Inc. has not filed its calendar year 2005 annual report, which was due April 15, 2006. In prior years, its annual reports were filed in conjunction with Communigroup of K.C., Inc.’s annual reports. It does not owe any assessments.

7. No complaints against Ameritel Long Distance, Inc. have been filed with the Commission since the commencement of the Commission’s Electronic Filing and Information System. One complaint has been entered in EFIS under the Ameritel Long Distance, Inc., name; however, the complaint was actually against M.L.M. Telecommunications, Inc. d/b/a Ameritel, Your Phone Company and was entered under Ameritel Long Distance, Inc. in error.

8. Accordingly, because Ameritel Long Distance, Inc. has ceased to operate in Missouri and its ostensible owner, Communigroup of K.C., Inc. is being liquidated, the Staff recommends that the Commission issue an order canceling Ameritel Long Distance, Inc.'s certificate of service authority to provide intrastate interexchange telecommunications services and its tariff, P.S.C. Mo. No. 1.

9. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo 2000, which provides:

Any certificate of service authority may be altered or modified by the commission after notice and hearing, upon its own motion or upon application of the person or company affected.

However, the Commission need not hold a hearing, if, after proper notice and opportunity to intervene, no party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. 1989).

10. This pleading will be served via certified mail on the address provided by the company to the Commission and its registered agent in Missouri.

WHEREFORE, the Staff recommends the Commission cancel Ameritel Long Distance, Inc.'s certificate of service authority to provide intrastate interexchange telecommunications services and its tariff, P.S.C. Mo. No. 1.

Respectfully submitted,

/s/ David A. Meyer

David A. Meyer
Senior Counsel
Missouri Bar No. 46620

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Missouri Public Service Commission
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or electronically mailed to all parties of record as shown below this 24th day of April 2006.

/s/ David A. Meyer

Office of the Public Counsel
Governor Office Building, Suite 650
200 Madison Street
P. O. Box 7800
Jefferson City, MO 65102

Ameritel Long Distance, Inc.
6950 W 56th Street
Mission, KS 66202

Richard D. Brownlee
Registered Agent for Ameritel Long Distance, Inc.
221 Bolivar Street, Suite 300
P. O. Box 1069
Jefferson City, MO 65102-1069
(via certified mail)

SOS Home :: Business Services :: Business Entity Search

Search

- By Business Name
- By Charter Number
- By Registered Agent
- For New Corporations
- Verify
- Verify Certification
- Annual Report
- File Online
- File Fictitious Name
- Registration
- File Online
- File LLC Registration
- File Online
- Online Orders
- Register for Online
- Orders
- Order Good Standing
- Order Certified Documents

Filed Documents

Date: 4/20/2006 (Click above to view filed documents that are available.)

Business Name History

Name	Name Type
AMERITEL LONG DISTANCE, INC.	Legal

General Business - Foreign - Information

Charter Number:	F00345728
Status:	Inactive
Entity Creation Date:	10/15/1990
State of Business.:	TX
Expiration Date:	Perpetual
Last Annual Report Filed Date:	
Last Annual Report Filed:	0
Annual Report Month:	January

Registered Agent

Agent Name:	RICHARD S. BROWNLEE, III
Office Address:	235 E. HIGH ST.-P.O. BOX 1069 JEFFERSON CITY MO 65102

Mailing Address:

APPENDIX A

SOS Home :: Business Services :: Business Entity Search

- Search**
- By Business Name
- By Charter Number
- By Registered Agent
- For New Corporations
- Verify**
- Verify Certification
- Annual Report**
- File Online
- File Fictitious Name Registration**
- File Online
- File LLC Registration**
- File Online
- Online Orders**
- Register for Online Orders
- Order Good Standing
- Order Certified Documents

All Annual Reports filed 1999 forward are available to view &/or print as well as all documents filed on or after 5-12-03.

Status of filed documents prior to 5-12-03: If the Creation Filing is not available to be viewed, the entire file may be incomplete because it has not been scanned. Therefore, there may be other types of filings associated with this entity.

Once a copy request and appropriate fees have been received on a specific entity the entire file is completely scanned and available online to view &/or print.

Date: 4/20/2006

Current Name: AMERITEL LONG DISTANCE, INC.

Image	Date	Document
	10/15/1990	Creation Filing
	9/18/1992	With/Term/Dissolve

No Documents Available

SOS Home :: Business Services :: Business Entity Search

Search

- By Business Name
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- By Registered Agent
- For New Corporations
Verify
- Verify Certification
Annual Report
- File Online
File Fictitious Name
Registration
- File Online
File LLC Registration
- File Online
Online Orders
- Register for Online
Orders
- Order Good Standing
- Order Certified Documents

Filed Documents

Date: 4/18/2006 (Click above to view filed documents that are available.)

Business Name History

Name	Name Type
AMERITEL LONG DISTANCE	Legal

Fictitious Registration - Domestic - Information

Charter Number:	X00245412
Status:	Fictitious Active
Entity Creation Date:	9/16/1992
Expiration Date:	8/28/2009

Owners

Name:	242537 COMMUNIGROUP OF K.C., I
Address:	6950 WEST 56TH STREET MISSION KS 66202

Appendix B



The relief described hereinbelow is SO ORDERED.

Signed February 28, 2006.

ROBERT D. BERGER
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS
KANSAS CITY DIVISION

IN RE:)
)
COMMUNIGROUP OF K.C., INC.,) Case No. 06-20119-RDB
A Missouri Corporation,)
)
Debtor.)

**ORDER ON AMENDED EMERGENCY MOTION TO DETERMINE
DATE TO TERMINATE SERVICES**

THIS MATTER comes on for consideration upon the Trustee's Amended Emergency Motion to Determine Date to Terminate Services, filed February 21, 2006. Andrew D. Hennier appeared for Carl R. Clark and Carl R. Clark appeared in person, Cynthia F. Grimes appeared for Debtor and David Jones appeared as the corporate representative of Debtor. Due and proper notice was provided the Federal Communications Commission ("FCC") and the FCC made no appearances at the hearing. The court, having considered the motion, the file, and being duly advised in the premises, finds and orders as follows:

1. This Court previously entered its order allowing the Trustee to continue to operate this business as a telecommunications company until February 28th, 2006, or until such time thereafter as the Trustee obtains authority from the Federal Communications Commission or from a Court of competent

jurisdiction to allow the discontinuance of the telecommunications services currently being provided by this Debtor.

2. The Trustee's motion presently before the Court seeks to allow discontinuance of service by February 28th, 2006 regardless of whether certification from the FCC has been obtained. The President of CGI, David Jones, has provided the Trustee with his analysis of the financial condition of the business, and has determined it would be unfeasible to continue operation past February 28th, 2006. In an effort to protect as much of the estate as possible, the Trustee files the present motion.

IT IS ORDERED, ADJUDGED AND DECREED that the Trustee, Carl R. Clark, is allowed to discontinue service on February 28, 2006, or on such date thereafter that the Trustee determines is in the best interest of the bankruptcy estate.

IT IS SO ORDERED.

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Respectfully submitted:

s/ Carl R. Clark

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(913) 648-0664 Telecopier
Attorneys for Chapter 7 Trustee

VERIFICATION

STATE OF MISSOURI)
)
COUNTY OF COLE)

Comes now Sherri L. Kohly, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that the affiant has read the accompanying pleading, and that the facts therein are true and correct to the best of her knowledge.

Sherri L. Kohly

Sherri L. Kohly
Affiant

Subscribed and affirmed before me this 24th day of April 2006. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on June 7, 2008.

Carla K. Schnieders

NOTARY PUBLIC

