

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the)	
Certificate of Service Authority and)	<u>Case No. XD-2006-0476</u>
Accompanying Tariff of BAK)	Tracking No. JX-2003-0290
Communications, LLC)	

ORDER CANCELING CERTIFICATE
AND ACCOMPANYING TARIFF

Issue Date: July 13, 2006

Effective Date: July 23, 2006

On June 15, 2006, the Staff of the Commission filed a motion asking the Commission to cancel the certificate of service authority and accompanying tariff of BAK Communications, LLC, a company that has been authorized to offer intrastate interexchange telecommunications services by the Commission.

In Case Number TA-2002-184, the Commission granted BAK a certificate to provide intrastate interexchange telecommunications services. BAK's tariff, PSC Mo. Tariff No. 1, was also approved.

Staff's motion states that on February 28, 2006, the registered agent in Missouri for BAK resigned without replacement. The Missouri Secretary of State's Office dissolved the company in June 2006 because the company failed to have a registered agent or office in the State by the end of May 2006.

Staff attempted to contact BAK via telephone without success. However, mail sent to the company at the address on file with the Commission has not

been returned to the Commission as undeliverable. Staff served copies of their motion upon the company at the address on file with the Commission and upon the Missouri Secretary of State, as Section 347.033 RSMo 2000 provides that “[i]n the event that a limited liability company shall fail to appoint or maintain a registered agent in the state...then the secretary, as long as such default exists, shall automatically be appointed as an agent of such limited liability company upon whom any process, notice or demand required or permitted by law to be served upon the limited liability company may be served.”

The company failed to file a 2005 Annual Report to the Commission. BAK owes no assessments to the Commission. No complaints have been filed against the company since the commencement of the Electronic Filing and Information System. Staff recommends that the Commission cancel the company’s certificate of service authority and accompanying tariff, PSC Mo. Tariff No. 1, to provide intrastate interexchange telecommunications services.

The Commission has the authority to cancel a certificate and tariff pursuant to Section 392.410.5, RSMo, which states, in part, “[a]ny certificate or 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.”

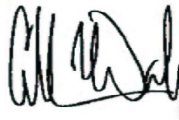
Based on Staff’s motion, BAK’s dissolution and lack of authority to transact business in Missouri, and because the company does not provide telecommunication service in Missouri, the Commission finds that the certificate

of service authority and accompanying tariff granted to BAK Communications, LLC, shall be canceled.

IT IS ORDERED THAT:

1. The certificate of authority to provide intrastate interexchange telecommunications services granted to BAK Communications, LLC, in Case Number TA-2002-184, is canceled.
2. BAK Communications's tariff, PSC Mo. Tariff No. 1, is canceled.
3. This order shall become effective on July 23, 2006.
4. This case may be closed on July 24, 2006.

BY THE COMMISSION

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

Colleen M. Dale
Secretary

(SEAL)

Colleen M. Dale, Chief Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri
on this 13th day of July, 2006.