

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

In the Matter of the Cancellation of the)
Certificate of Service Authority of Steven) Case No. PD-2007-
Yogi d/b/a World Access)

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

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and requests that the Commission cancel the certificate of service authority of Steven Yogi d/b/a World Access. In support of its motion, Staff respectfully states as follows:

1. On July 2, 1998, the Missouri Public Service Commission (Commission) granted a certificate of service authority to provide payphone service to Steven Yogi d/b/a World Access in Case No. TA-98-512. Mr. Yogi had previously registered the fictitious name of "World Access" with the Missouri Secretary of State's Office on April 20, 1998.

2. Mr. Yogi has failed to submit statements of revenue for the past four fiscal years to the Commission. The Commission, as it is permitted to do under Section 386.370.5 RSMo. (2000), estimated Mr. Yogi's assessment for each year. Until the current year, Mr. Yogi has always paid the assessment. However, this year Mr. Yogi failed to pay his assessment, which has always been very small. Staff has attempted to contact Mr. Yogi, but the telephone number he provided the Commission has been disconnected.

3. No customers have contacted the Commission with complaints about Steven Yogi d/b/a World Access since the commencement of the Commission's EFIS system.

4. Staff believes that Mr. Yogi has violated the terms of his certificate of service authority 1) by his failure to keep the Commission informed of a telephone number where he may be reached, and 2) by failing to file a statement of revenue. Sections 392.210(2), RSMo.

2000 states, among other things, "The Commission shall at all times have access to all accounts, records and memoranda kept by telecommunications companies..." Because Mr. Yogi has failed to keep the Commission informed of a current telephone number, the Commission is unable to contact him. Therefore, Mr. Yogi has denied the Commission the access that is required of the Commission under Section 392.210(2), RSMo. 2000. Certainly, Mr. Yogi has denied the Commission its abilities to supervise telecommunications operations and services as statutorily mandated under Section 386.250.

5. The Commission has the authority to cancel a telecommunications company certificate pursuant to Section 392.410.5 RSMo. (Supp. 2005), 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).

6. Staff is serving this pleading, via certified mail, upon the address provided by the company to the Commission.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Steven Yogi d/b/a World Access to provide payphone service.

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 20th of December 2006.

/s/ David A. Meyer

Office of the Public Counsel

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Steven Yogi d/b/a World Access

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Ballwin, MO 63011

(via certified mail)

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
Affiant

Subscribed and affirmed before me this 20th day of December 2006. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on 9-23-2008.



NOTARY PUBLIC

