

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

In the Matter of the Cancellation of the)
Certificate of Service Authority and Tariff)
of W2COM International, LLC.)

Case No. XD-2006-_____

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

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves the Commission to open a case and cancel the Certificate of Service Authority it has granted to W2COM International, LLC, as well as the company's tariff. In support of its Motion, the Staff respectfully states as follows:

1. In January 2000 in Case No. XA-2000-379, the Missouri Public Service Commission (Commission) granted a certificate of service authority to W2COM International, LLC to provide intrastate interexchange telecommunications services. The Commission approved the company's tariff, P.S.C. Mo. Tariff No. 1, in the same case.

2. On April 13, 2006, W2COM International, LLC filed articles of cancellation of a foreign limited liability company with the Missouri Secretary of State as permitted by Section 347.161 RSMo. (Supp. 2005). As part of that filing, the company indicated that "[t]he limited liability company is not transacting business and surrenders its authority to transact business in the State of Missouri." Accordingly, the company's authority to do business in the state was cancelled as of that date. See Appendix A.

3. Mail sent to the address provided by the company has been returned to the Commission as undeliverable. See Appendix B. Moreover, the telephone numbers provided to the Commission by the company are no longer in service.

4. In keeping with indications that the company has ceased operations, W2COM International, LLC has not filed a 2005 annual report. The company owes no assessments. No customers have contacted the Commission to make complaints about W2COM International, LLC since the commencement of the Commission's Electronic Filing and Information System.

5. Because W2COM International, LLC no longer has authority to transact business in Missouri, because it does not provide telecommunications service in Missouri, and because it has apparently ceased to exist and cannot be contacted, the Staff recommends that the Commission issue an order canceling W2COM International, LLC certificate and tariff.

6. The Commission has the authority to cancel a telecommunications corporation 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).

7. Copies of this Motion are being served via registered mail upon the Missouri Secretary of State, as the Articles of Cancellation revoked the authority of the company's registered agent to accept service of process and indicated that service is to be made on the Secretary of State of Missouri instead. See also Section 347.161 ("A cancellation does not terminate the authority of the secretary [of state] to accept service of process on the foreign limited liability company with respect to causes of action arising out of the transactions of business in this state." Service is also being made upon the company at the address it has provided to the Commission.

WHEREFORE, the Staff recommends the Commission cancel the Certificate of Service Authority it has granted to W2COM International, LLC to provide intrastate interexchange telecommunications services in Case No. XA-2000-379, as well as the company's tariff, P.S.C. Mo. Tariff No. 1.

Respectfully submitted,

/s/ **David A. Meyer**

David A. Meyer
Senior Counsel
Missouri Bar No. 46620

Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-8706 (Telephone)
(573) 751-9285 (Fax)
david.meyer@psc.mo.gov

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 13th day of June 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

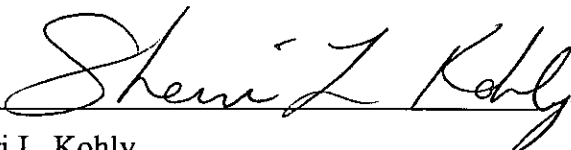
W2COM International, LLC
3500 Park Center Drive
Dayton OH 45414

Secretary of State of Missouri
Registered Agent for W2COM International, LLC
600 West Main Street
P. O. Box 778
Jefferson City, MO 65102
(via certified mail)

VERIFICATION

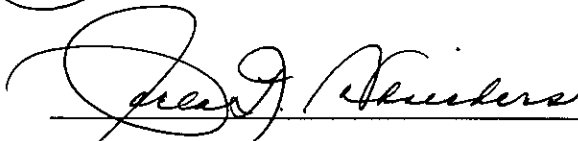
STATE OF MISSOURI)
)
COUNTY OF COLE)

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.

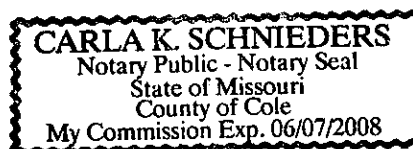


Sherri L. Kohly
Affiant

Subscribed and affirmed before me this 13th day of June 2006. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on June 7, 2008



NOTARY PUBLIC





State of Missouri
Robin Carnahan, Secretary of State

Corporations Division
P.O. Box 778 / 600 W. Main Street, Rm 322
Jefferson City, MO 65102

File Number: 200610712901
FL0031876
Date Filed: 04/13/2006
Robin Carnahan
Secretary of State

**Articles of Cancellation of a
Foreign Limited Liability Company**
(Submit with filing fee of \$25)

1. The name of the limited liability company is:

W2COM INTERNATIONAL LLC

and was organized under the laws of: **OHIO**

(Jurisdiction)

2. The mailing address to which the Secretary of State may mail a copy of any Service of Process is:

3500 PARK CENTER DRIVE

DAYTON

OH

45414

Street address

City/State/Zip

Any change of mailing address must be reported to the Secretary of State.

3. The limited liability company is not transacting business and surrenders its authority to transact business in the State of Missouri.
4. The limited liability company revokes the authority of its registered agent in Missouri to accept service of process and consents that the service of process in any suit, action, or proceeding based upon any cause of action arising in Missouri during the time the corporation was licensed to transact business in Missouri may thereafter be made on the limited liability company by service on the Secretary of State of Missouri.

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)


Authorized Signature

Brian Kehr
Printed Name

3/30/06
Date

Authorized Signature

Printed Name

Date

Authorized Signature

Printed Name

Date

Name and address to return filed document:

Name: **TCS Corporate Services, Inc.**
Address: **1720 Windward Concourse, Ste 250**
Alpharetta, GA 30005
City, State, and Zip Code: _____

State of Missouri
With/Term/Dissolve - General Business 1 Page(s)



T0610416511

LLC- 8 (01/05)

APPENDIX A

State of Missouri



Robin Carnahan
Secretary of State

CERTIFICATE OF CANCELLATION

WHEREAS, an application for cancellation of

W2COM INTERNATIONAL, LLC

using in Missouri

W2COM INTERNATIONAL, LLC
FL0031876

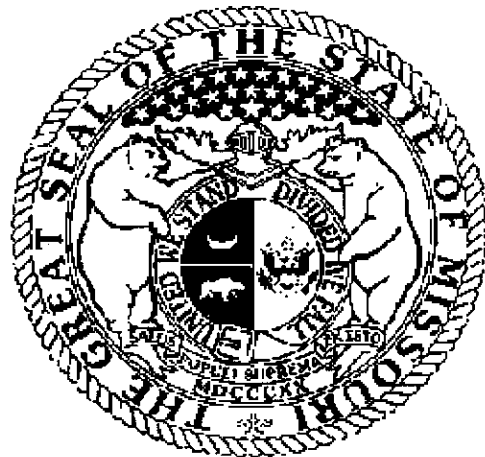
a Ohio Limited Liability Company, has been received, found to conform to law, and filed;

NOW, THEREFORE, I, ROBIN CARNAHAN, Secretary of State of the State of Missouri, issue this Certificate of Cancellation certifying that the aforementioned Limited Liability Company is cancelled from this state.

IN TESTIMONY WHEREOF, I hereunto
set my hand and cause to be affixed the
GREAT SEAL of the State of Missouri.
Done at the City of Jefferson, this
13th day of April, 2006.

Robin Carnahan

Secretary of State



Missouri Public Service Commission
Administration Division
P.O. Box 360
Jefferson City, Missouri 65102

MO 419-2629 (4-01)

RECEIVED

MAY 01 2006

BUDGET & FISCAL SVCS
MO. P.S.C.

D Kelly Ammon
W2COM International, LLC
3500 Park Center Dr
Dayton OH 45414



- Ⓐ
Ⓒ
Ⓔ
- ☐ INSUFFICIENT ADDRESS
☐ ATTEMPTED NOT KNOWN
☐ NO SUCH NUMBER/ STREET
☒ NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD
- ☐ OTHER

RTS
RETURN TO SENDER