

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

In the Matter of the Cancellation of the)	
Certificate of Service Authority and)	Case No. XD-2008-
Tariffs of Cognigen Networks, Inc.)	

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission cancel Cognigen Networks, Inc.'s (Cognigen) certificate of service authority to provide intrastate interexchange telecommunications services in Missouri and applicable tariffs. In support of its Motion, Staff respectfully states as follows:

1. On November 1, 2004, the Missouri Public Service Commission (Commission) issued an order granting a certificate of service authority to provide interexchange and nonswitched local exchange telecommunications services, to Cognigen, in Case No. XA-2005-0074. The Commission approved P.S.C. MO Tariff No. 1 in the same case.

2. On November 30, 2007, counsel for Cognigen sent a letter to the Secretary of the Commission, requesting that the Commission cancel Cognigen's authority effective immediately. (The Commission received this letter on December 5, 2007, and it is attached hereto as Attachment A).

3. Counsel for Cognigen then sent a second letter, which was received by the Commission on January 16, 2008, detailing information required under 4 CSR 240-3.560 for telecommunications companies ceasing operations in Missouri. (This letter is attached hereto as Attachment B)

4. The petition indicated that the certificate of service authority is being surrendered because Cognigen has no customers in Missouri and no longer intends to retain authority in Missouri.

5. The services to be discontinued are interexchange and nonswitched local exchange telecommunications services, restricted to providing dedicated private line services.

6. Cognigen has no past due annual reports or assessments to the Commission.

7. Cognigen is a Colorado corporation reflected as being in good standing by the Missouri Secretary of State's website.

8. Because Cognigen has requested cancellation of its certificate and because it is not providing telecommunications service in Missouri and has no Missouri customers, the Staff recommends that the Commission issue an order canceling the company's certificate.

9. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2006), 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).

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority of Cognigen Networks, Inc. to provide interexchange and nonswitched local exchange telecommunications services in Missouri, as well as its tariff, P.S.C. MO Tariff No. 1.

Respectfully submitted,

/s/ Blane Baker

Blane Baker
Legal Counsel
Missouri Bar No. 58454

Attorney for the Staff of the
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed return receipt requested or electronically to all counsel of record as shown on the attached service list this 17th day of November 2007.

/s/ Blane Baker

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P.O. Box 7800
Jefferson City, MO 65102

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November 30, 2007

Collen Dale, Commission Secretary
Missouri Public Service Commission
Harry S. Truman Office Building
200 Madison Street
Jefferson City, MO 65102

RE: Cognigen Networks, Inc.

Dear Ms. Dale:

We are the attorneys for Cognigen Networks, Inc. (hereinafter "Cognigen"). The Missouri Public Service Commission ("Commission") previously authorized Cognigen to provide intrastate telecommunications services in Case No. XA-2005-0074. Cognigen has no customers in Missouri. Cognigen no longer intends to retain authority in the State of Missouri.

Accordingly, we respectfully request that the Commission cancel Cognigen's authority effective immediately.

Enclosed is a duplicate of this letter. Please stamp the duplicate received and return same in the postage-paid envelope attached thereto.

Please forward any additional forms or requirements, correspondence, or questions to the undersigned.

Very truly yours,

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

Patrick D. Crocker

PDC/tld

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January 11, 2008

Blane Baker, Legal Counsel
Missouri Public Service Commission
Harry S. Truman Office Building
200 Madison Street
Jefferson City, MO 65102

RE: Cognigen Networks, Inc.

Dear Mr. Baker:

In accordance with your request, please find a check in the amount of \$26.85 made payable to the Missouri Public Service Commission for 2008 Assessment fees and the Company's responses as follows:

1. A statement of reasons for ceasing or discontinuing service;
Cognigen has no customers in Missouri. Cognigen no longer intends to retain authority in the State of Missouri.
2. Date of planned service cessation or discontinuance;
Thirty (30) days prior to cessation or discontinuance.
3. Geographic areas affected by cessation or discontinuance of service;
The State of Missouri.
4. A brief description of the service(s) to be ceased or discontinued;
Interexchange and nonswitched local exchange telecommunications services, restricted to providing dedicated private line services.
5. A statement as to whether the company's tariff(s) and certificate shall remain in effect or be cancelled;
The Company's tariff and certificate shall be cancelled.

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

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6. A statement that all affected customers have been notified at least thirty (30) days prior to the cessation or discontinuance; and

Cognigen has no customers in Missouri.

7. A statement that all affected customers have been informed as to how they can select a new service provider.

Cognigen has no customers in Missouri.

Should you have any questions, please contact the undersigned.

Very truly yours,

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

Patrick D. Crocker

PDC/tld