

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-2006-0559</u>
Accompanying Tariff of Exergy)	Tracking No. YX-2003-1565
Group, LLC)	

ORDER CANCELING CERTIFICATE
AND ACCOMPANYING TARIFF

Issue Date: July 24, 2006

Effective Date: August 4, 2006

On June 30, 2006, the Staff of the Commission filed a motion asking the Commission to cancel the certificate of service authority and accompanying tariff of Exergy Group, LLC, a company that has been authorized to offer intrastate interexchange telecommunications services by the Commission.

In Case Number XA-2003-0291, the Commission granted Exergy a certificate to provide intrastate interexchange telecommunications services. The company's tariff, PSC Mo. Tariff No. 1, was also approved.

Staff's motion states Exergy is in good standing with the Missouri Secretary of State's Office; however, on May 10, 2006, the registered agent in Missouri for Exergy resigned without replacement. The Missouri Secretary of State's Office dissolved the company in July 2006 because the company failed to have a registered agent or office in the State within 60 days of the effective date of the resignation.

Staff contacted the company's representative responsible for annual report filings, who indicated the company recently ceased operations. Staff served copies of their motion upon the company at the address on file with the Commission and upon the Missouri Secretary of State, the registered agent for Exergy.

The company failed to file a 2005 Annual Report to the Commission. Exergy 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, Exergy'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 Exergy Group, LLC, shall be canceled.

IT IS ORDERED THAT:

1. The certificate of authority to provide intrastate interexchange telecommunications services granted to Exergy Group, LLC, in Case Number XA-2003-0291, is canceled.
2. Exergy's tariff, PSC Mo. Tariff No. 1, is canceled.
3. This order shall become effective on August 4, 2006.
4. This case may be closed on August 5, 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 24th day of July, 2006.