

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

In the Matter of the Application of)	<u>Case No. XD-2018-</u>
Budget Prepay, Inc. for Cancellation)	Tracking Nos. JL-2003-0037 and
Of its Certificate of Service Authority)	YX-2007-0760

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY AND TARIFF

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and moves for the Missouri Public Service Commission (“Commission”) to cancel the certificate of interexchange service authority in Missouri of Budget Prepay, Inc. d/b/a Budget Phone (“Company”) and states:

1. In September 23, 2002, the Commission granted a certificate of interexchange service authority in Case No. XA-2003-0023, to the Company. It has existing approved tariffs, JL-2003-0037 and YX-2007-0760.

2. On July 6, 2017, the Company notified the Commission that it no longer wished to retain its certification to provide basic local exchange and long distance services in Missouri (see BCES-2018-0026).

3. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo 2000, which provides “[a]ny 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.”

4. 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. W.D. 1989).

5. The Company seeks to relinquish its IXC and all other designations it holds with the Commission. Additional pleadings have been filed concurrently with this pleading to reflect the Company's request to relinquish authority to offer any services in Missouri.

WHEREFORE, the Staff respectfully recommends the Commission cancel the certificate of service authority to provide interexchange telecommunications service in Missouri; cancel the tariffs of Budget Prepay, Inc. d/b/a Budget Phone; and grant such other and further relief as the Commission considers just in the circumstances.

Respectfully submitted,

/s/ Whitney Payne

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 7th day of July, 2017, to all counsel of record.

/s/ Whitney Payne

July 6, 2017

Mr. Morris L. Woodruff
Secretary
Missouri Public Service Commission
200 Madison Street, P.O. Box 360
Jefferson City, Missouri 65102-0360

Re: Notice of Discontinuance of Wireless Telecommunications Services of Budget PrePay, Inc. d/b/a Budget Mobile; Discontinuance of IXC Certificate of Budget PrePay, Inc. d/b/a Budget Phone; and Relinquishment of ETC Designation

Dear Mr. Woodruff:

Budget PrePay, Inc. ("Budget") hereby gives notice to the Commission that it intends to discontinue providing any and all telecommunications services in the state of Missouri by and through its operating entities.

First, Budget PrePay, Inc. d/b/a Budget Mobile ("Budget PrePay") hereby gives notice to the Commission that it is discontinuing its provision of wireless telecommunications services in Missouri and relinquishing its designation as a Lifeline-only, wireless Eligible Telecommunications Carrier ("ETC"), which was issued by the Commission on April 24, 2013, and was effective on May 4, 2013.¹ Budget PrePay's decision to relinquish its ETC designation is the result of changes in the industry and modifications to the federal Lifeline program.

Notice to all of Budget PrePay's subscribers in Missouri was sent on or before May 5, 2017, to permit them to obtain service from an alternative ETC in anticipation of relinquishing its ETC designation in Missouri on or about June 5, 2017.

The impact of this discontinuance will be minimal because Budget PrePay serves less than 1,800 total subscribers in Missouri, and those consumers will have multiple options for alternative wireless service providers in the state, including TracFone Wireless, Q Link Wireless, Assurance Wireless and Boomerang Wireless.

Additionally, Budget PrePay, Inc. d/b/a Budget Phone ("Budget Phone") is a Competitive Local Exchange Carrier ("CLEC") certificated by the Commission to provide basic local exchange and long distance services throughout the Southwestern Bell Telephone Company, L.P. d/b/a AT&T Missouri service territories, pursuant to the Commission's Order granting a Certificate of Service Authority, issued

¹ *In the Matter of the Application of Budget PrePay, Inc., for Designation as a Wireless Eligible Telecommunications Carrier*, Order Granting Application for Designation as an Eligible Telecommunications Carrier, File No. CO-2012-0043 (issued Apr. 24, 2013).

September 18, 2002.² On May 31, 2017, Budget filed its application to cancel its certificate of service authority to provide basic local telecommunications service. Budget's application was approved by the Commission in its Order Canceling Certificate, issued June 16, 2017.³ In addition to canceling its authority to provide basic local service, Budget Phone also seeks to cancel its authority to provide long distance, or IXC, service in Missouri. Further, as part of discontinuing its wireline services in Missouri, Budget Phone hereby relinquishes its ETC designation to offer Lifeline support to its basic local phone customers.

In short, Budget seeks: (1) discontinuance of wireless service, including ETC designation; (2) cancellation of its authority to provide wireline long distance service; and (3) relinquishment of its ETC designation as a Lifeline provider to its eligible basic local phone customers.

Should you have any questions or require additional information regarding Budget's filing, please do not hesitate to contact undersigned counsel.

Sincerely,

/s/ Susan B. Cunningham

Susan B. Cunningham

Counsel to Budget PrePay, Inc.

² *In the Matter of the Application of Budget Phone, Inc., for a Certificate of Service Authority to Provide Resold and Facilities-based Local Telecommunications Services in Portions of the State of Missouri and to Classify Such Services and the Company as Competitive*, Case No. CA-2003-0024, Order Granting Certificate to Provide Resold and Facilities-Based Basic Local Telecommunications Services (issued Sept. 18, 2002).

³ *In the Matter of the Application of Budget PrePay, Inc. for Cancellation of its Certificate of Service Authority to Provide Basic Local Telecommunications Services*, Case No. CD-2017-0315.