

**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 Telephone Company of Central Florida, )  
Inc. )

Case No. XD-2006-\_\_\_\_\_

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

**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 Telephone Company of Central Florida, Inc., as well as the company's tariff. In support of its Motion, the Staff respectfully states as follows:

1. In March 1998 in Case No. TA-98-302, the Missouri Public Service Commission (Commission) granted a certificate of service authority to Telephone Company of Central Florida, Inc. to provide interexchange telecommunications services. The Commission approved the company's tariff, P.S.C. MO. No. 1, in the same case.

2. On October 25, 2004, Telephone Company of Central Florida, Inc. voluntarily sought bankruptcy protection under Chapter 11 of the Federal bankruptcy code in the Southern District of Florida in Bankruptcy Petition #04-34916. The filing took place under the name "Epicus, Inc." According to company personnel, the company had changed its name in most locations from Telephone Company of Central Florida, Inc. to Epicus, Inc., but that process was not complete and had not been completed in Missouri. See the letter of January 15, 2005 attached as Appendix A.

3. The web site of the Office of the Missouri Secretary of State reports that the certificate of authority granted to Telephone Company of Central Florida, Inc., a Florida corporation, was revoked December 30, 2004. Section 351.602.3 RSMo. (2000) states that

“[t]he authority of a foreign corporation to transact business in this state ceases on the date shown on the certificate revoking its certificate of authority.”

4. Staff is not aware that Telephone Company of Central Florida, Inc. is still providing telecommunications services to any Missouri customers. No customers have contacted the Commission to make complaints about Telephone Company of Central Florida, Inc. since the commencement of the Commission’s Electronic Filing and Information System. As discussed in the following paragraph, it appears that Telephone Company of Central Florida, Inc. no longer operates in Missouri.

5. On June 20, 2005, the Commission received a letter from the regulatory manager of Telephone Company of Central Florida, Inc. indicating that the company had ceased providing service to Missouri customers and that the company wanted to cancel its certificate of service authority and its tariff. The author of the letter is the same individual reflected in the company’s 2003 annual report as the company’s regulatory contact. See the letter of June 15, 2005 attached as Appendix B.

6. In keeping with indications that the company has ceased telecommunications operations in Missouri, Telephone Company of Central Florida, Inc. has not submitted a 2004 annual report. The company owes no assessments.

7. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2004), 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).

8. Because the company has requested certificate cancellation and because it no longer has authority to conduct business in Missouri, Staff recommends that its certificate and accompanying tariff be cancelled.

9. Copies of this Motion are being served upon the address provided by the company to the Commission via certified mail, as well as upon the company's registered agent.

WHEREFORE, the Staff recommends the Commission cancel the Certificate of Service Authority it has granted to Telephone Company of Central Florida, Inc. to provide intrastate interexchange telecommunications services in Case No. TA-98-302, as well as the company's tariff, P.S.C. MO. No. 1.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ David A. Meyer**

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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  
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(573) 751-9285 (Fax)  
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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 9<sup>th</sup> day of August 2005.

**/s/ David A. Meyer**

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Office of the Public Counsel  
Governor Office Building, Suite 650  
200 Madison Street  
P. O. Box 7800  
Jefferson City, MO 65102

CSC Lawyers Incorporating Service Co.  
Registered Agent for Telephone Company of Central Florida, Inc.  
221 Bolivar  
Jefferson City, MO 65101

Telephone Company of Central Florida, Inc.  
Attn: Barbara Greene  
610 Crescent Executive Court, Suite 300  
Lake Mary, FL 32746  
*(via certified mail)*



Telephone Company of Central Florida, Inc.

BANK -2005 - 0085

RECEIVED<sup>3</sup>

JAN 24 2005

Records  
Public Service Commission

January 18, 2005

Mr. Bob Quinn  
Executive Director  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102-0360

RECEIVED

JUL 01 2005

Re: Telephone Company of Central Florida, Inc. a/k/a Epicus, Inc.  
Notice of Chapter 11 Reorganization

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

Dear Mr. Quinn:

This letter serves notice that the Telephone Company of Central Florida, Inc. a/k/a Epicus, Inc. [Epicus] filed Chapter 11 Reorganization on October 25, 2004, in the United States Bankruptcy Court for the Southern District of Florida, in Case File Number 04-34916, per the attached copy.

As a result of the protection that Chapter 11 Reorganization provides, company funds are under the control of the Bankruptcy Court for the Southern District of Florida.

Please acknowledge receipt of this letter by stamping the extra copy and returning it in the self-addressed stamped envelope provided for this purpose.

Should you require additional information, please contact me.

With kind regards,

Barbara Greene  
Regulatory Manager  
[bgreene@epicus.com](mailto:bgreene@epicus.com)  
407-942-1256

Enclosures

RECEIVED<sup>3</sup>

JUL 05 2005

*Records*  
*Public Service Commission*



Telephone Company of Central Florida, Inc.

June 15, 2005

RECEIVED

JUL 01 2005

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Wess Henderson  
Interim Executive Director  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

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

Re: Telephone Company of Central Florida, Inc. [TCCF] a/k/a Epicus, Inc.  
Case No. TA-98-302  
Notice of Cessation of Telecommunication Service  
Voluntary Decertification

RECEIVED

JUN 20 2005

Executive Director  
MO PSC

*To John Van Eercken*  
*[Signature]*  
*Helen*

Dear Mr. Henderson:

This letter serves notice to the Missouri Public Service Commission that the Telephone Company of Central Florida, Inc. a/k/a Epicus, Inc. ceased the provision of resold long distance services within the state of Missouri on June 9, 2005.

The company is requesting the cancellation of its Certificate of Authority in Case No. TA-98-302 and cancellation of its long distance tariff on file with the Commission.

The discontinuance of service is part of the company's plan to restructure its business and make its operations more economically efficient.

Customer Notification letters of discontinuance of long distance service giving eighteen customers more than 30 days notice were sent via U.S. Mail on April 27, 2005 in the following geographic areas.

Bellevue	Cape Girardeau	Joplin	Lebanon	Sedalia
Birch Tree	Concordia	Kansas City	Leessummit	St. Louis
Bourbon	Houston	Kennett	Overland	

Enclosed is the Telephone Company of Central Florida, Inc. Statements of Revenue Pre and Post Bankruptcy for the calendar year 2004.

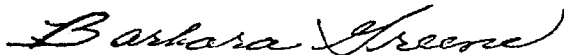
TCCF  
Page 2

Additionally enclosed is the Missouri Public Service Commission file stamped copy of the letter notice that the Telephone Company of Central Florida, Inc. a/k/a Epicus, filed Chapter 11 Reorganization on October 25, 2004, in the bankruptcy Court of the Southern District of Florida, in Case File Number 04-34916.

Please acknowledge receipt of this letter by stamping the extra copy and returning it in the self-addressed stamped envelope provided for this purpose.

Should you require additional information, please contact me.

With kind regards,



Barbara Greene  
Regulatory Manager  
407-942-1256  
[bgreene@epicus.com](mailto:bgreene@epicus.com)

Enclosures

cc: John Van Eschen, Manager  
Telecommunications Department