

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the Certificate
of Service Authority and Accompanying Tariff of
Optical Telephone Corporation.

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Case No. XD-2006-0097

ORDER CANCELING CERTIFICATE OF SERVICE AUTHORITY

Issue Date: September 20, 2005

Effective Date: September 30, 2005

On August 31, 2005, the Staff of the Missouri Public Service Commission filed a motion to cancel the certificate of service authority to provide interexchange telecommunications services granted to Optical Telephone Corporation. Staff states that the Commission granted the company a certificate in April of 2002, in Case No. TA-2002-393.

In support of its motion, Staff states that the Office of the Missouri Secretary of State reports that although the company's certificate of authority has not yet been revoked, revocation is imminent as the company has been warned for failing to file its Annual Registration Report. The company was to have responded to the warning by August 3. Staff reports that no response appears on the Secretary of States website. Staff also states that the telephone numbers provided by the company are no longer in service. Staff further informs the Commission that it contacted the attorney for the company who informed Staff that he has the same contact information as Staff and has not been in contact with the company since December of 2004. Lastly, Staff states that the company owes a minimal assessment for Fiscal Year 2006, which is an estimate because the company did not submit its Statement of Revenue.

Staff argues that the company has violated the terms of its certificate by failing to keep the Commission informed of its current contact information. Staff states that Section 392.210(2), RSMo (2000), requires the Commission to at all times have access to all accounts, records, and memoranda kept by telecommunications companies. Because of the company's failure to provide current contact information, the Commission is unable to fulfill its obligation under Section 392.210.

Section 392.410(5), RSMo 2000, states: "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" The Commission has reviewed the application and finds that the Certificate of Service Authority granted to Optical, in Case No. TA-2002-393, shall be canceled. The Commission will also cancel the accompanying tariff.

IT IS THEREFORE ORDERED:

1. That the certificate of service authority to provide interexchange telecommunications services granted to Optical Telephone Corporation, in Case No. TA-2002-393, is canceled.
2. That Optical Telephone Corporation's tariff, Missouri P.S.C. Tariff No. 1, is canceled.

3. That this order shall become effective on September 30, 2005.
4. That this case may be closed on October 1, 2005.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Kennard L. Jones, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of September, 2005.