

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 Victory) **Case No. CD-2005-0505**
Communications, Inc.)

ORDER CANCELING CERTIFICATE AND ACCOMPANYING TARIFF

Issue Date: August 1, 2005

Effective Date: August 11, 2005

This order cancels the certificate of service authority and accompanying tariff of Victory Communications, Inc.

On June 29, 2005, the Staff of the Missouri Public Service Commission filed a motion asking the Commission to cancel the certificate of service authority and accompanying tariff of Victory Communications. The Commission issued a certificate of service authority to provide basic local telecommunications services to Victory Communications in Case No. CA-2004-0427. The Commission also approved the company's tariff, PSC MO. NO. 1.

Staff reports that the telephone number provided by the company is no longer in service and Staff is unable to contact the company. The website of the Missouri Secretary of State's Office indicates that the company's certificate of authority to conduct business in the state as a foreign corporation was revoked on April 25, 2005, for failure to file its Annual Registration Report with that office. Staff also reports that the company has failed to file its 2004 annual report with the Commission and did not return a statement of revenue.

Staff has contacted the company's current and former registered agents and can obtain no current contact information for the company. Staff also contacted Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, and determined that Victory Communications does not have an interconnection agreement with SBC Missouri, in whose territory it is authorized to operate. No response to Staff's motion was received.

The Commission has the authority to cancel a telecommunications corporation certificate under Section 392.410.5, which 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." Since no one has requested a hearing in this case, the Commission may grant the relief requested based on the motion.

The Commission has reviewed the motion and finds that it is reasonable to cancel Victory Communications' certificate. In addition, the Commission finds that it would be in the public interest to cancel the tariff of the company. Therefore, the certificate of service authority granted to Victory Communications in Case No. CA-2004-0427, along with the accompanying tariff, will be canceled. To ensure that the company has had every opportunity to respond, the Commission will require its Data Center to serve this order upon the addresses for the company's registered agents as listed in Staff's certificate of service.

IT IS THEREFORE ORDERED:

1. That the certificate of service authority granted to Victory Communications, Inc., in Case No. CA-2004-0427 is canceled.
2. That the accompanying tariff, PSC MO. NO. 1, filed by Victory Communications, Inc., is canceled.

3. That the Data Center of the Commission shall serve a copy of this order on the following:

Mary Ann Young, Esq.
Registered Agent for Victory Communications, Inc.
812 Swifts Highway
Jefferson City, Missouri 65109

Carl J. Lumley, Esq.
Registered Agent for Victory Communications, Inc.
130 South Bemiston, Suite 200
St. Louis, Missouri 63105

Victory Communications, Inc.
681 Downsview Road
Downsville, Louisiana 71234

4. That this order shall become effective on August 11, 2005.
5. That this case may be closed on August 12, 2005.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Senior Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 1st day of August, 2005.