

**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 ACCXX Communications, LLC)

Case No. XD-2007-_____

**MOTION TO CANCEL
CERTIFICATE OF SERVICE AUTHORITY AND TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves the Commission to cancel the Certificate of Service Authority it has granted to ACCXX Communications, LLC as well as its tariff. In support of its Motion, the Staff respectfully states as follows:

1. The Commission granted ACCXX Communications, LLC a certificate of service authority to provide intrastate, interexchange telecommunications services in Case No. TA-2002-461, in its order of May 1, 2002. The Commission subsequently approved the company's tariff, P.S.C. MO. TARIFF No. 1, in the same case.

2. ACCXX Communications, LLC is a Delaware limited liability company listed by the Missouri Secretary of State as "active," but as a limited liability company, ACCXX Communications, LLC has no obligation to submit reports to the Missouri Secretary of State, so the last communication in the Secretary of State's records is from 2002.

3. Now, the telephone number ACCXX Communications, LLC provided to the Commission has been disconnected and no new number is available. A different number provided by the company on its most recent Statement of Revenue (submitted for Fiscal Year 2007) reaches a different telecommunications company, and the operator who answered that telephone number indicated that they were not aware of a way to reach anyone at ACCXX and

that to the best of their knowledge, that company was out of business. However, mail sent to the address provided by the company has not been returned to the Commission as undeliverable.

4. In keeping with indications that ACCXX Communications, LLC has ceased operations, it has not submitted a 2006 annual report or a fiscal year 2008 statement of revenue to the Commission. The Commission mailed copies of the annual report and statement of revenue forms to the company in January 2007 and those were not returned. No customers have contacted the Commission to make complaints about ACCXX Communications, LLC since the commencement of the Commission's Electronic Filing and Information System.

5. Because ACCXX Communications, LLC cannot be contacted, the Staff recommends that the Commission issue an order canceling its certificate and tariff. The Commission's rule at 4 CSR 240-3.545(22), among other rules, requires telecommunications companies to maintain current contact information at the Commission.

6. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo (Supp. 2006), 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).

7. Copies of this Motion are being served via certified mail upon the registered agent for ACCXX Communications, LLC, as well as via regular mail to the address the company has provided to the Commission.

WHEREFORE, the Staff recommends the Commission cancel the Certificate of Service Authority it has granted to ACCXX Communications, LLC to provide intrastate interexchange

telecommunications services in Case No. TA-2002-461 in May 2002, as well as its tariff, P.S.C.

MO TARIFF No. 1.

Respectfully submitted,

/s/ **David A. Meyer**

David A. Meyer
Senior Counsel
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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 27th day of June 2007.

/s/ **David A. Meyer**

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Jefferson City, MO 65101
(*via certified mail*)

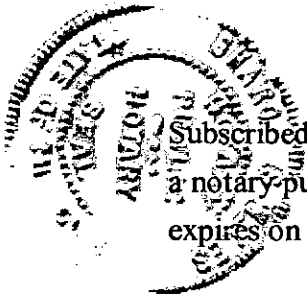
VERIFICATION

STATE OF MISSOURI)
)
COUNTY OF COLE)

Comes now William L. Voight, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that the affiant has read the accompanying pleading, and that the facts therein are true and correct to the best of his knowledge.

Bill Voight

William L. Voight
Affiant



Subscribed and affirmed before me this 26th of June 2007. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on October 23, 2010.

Sharon S. Wiles

NOTARY PUBLIC

SHARON S. WILES
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: October 23, 2010
Commission Number: 06429091