

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

In the Matter of the Cancellation of the)
Certificate of Service Authority of) File No. LD-2010-
nii communications, ltd, L.P.)

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission and moves for the Missouri Public Service Commission (Commission) to cancel the certificates of basic local and interexchange telecommunications service authority in Missouri of nii communications, ltd, L.P. (“the Company”) and states as follows:

1. On March 31, 2005, the Commission granted certificates of basic local and interexchange telecommunications service authority to the Company in Case No. LA-2005-0191.
2. On November 25, 2009, the Company, filed a request to cancel its certificates in File No. LD-2010-0163. The matter was closed because the Company was not represented by local counsel, but the presiding Regulatory Law Judge noted that the Company did want its certificates cancelled and that the Staff could file a motion to cancel, based on the Company’s assertions in that case.
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).

WHEREFORE, the Staff respectfully recommends the Commission cancel the tariff(s) and certificates of service authority of nii communications, ltd, L.P. to provide basic local and interexchange telecommunications service in Missouri.

Respectfully submitted,



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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 14th day of May, 2010.

