

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

In the Matter of the Cancellation of the	)	
Certificate of Service Authority to Provide	)	<b><u>File No. LD-2012-0</u></b>
Basic Local and Interexchange Telecommunications)	)	
Services of American Fiber Network, Inc.	)	

**STAFF MOTION**

**COMES NOW** the Staff of the Missouri Public Service Commission and for its motion, states as follows:

1. On September 17, 2010, American Fiber Network Inc., Birch Telecom of Missouri, Inc. and Ionex Communications, Inc. filed a joint application to transfer “substantially all of [American Fiber Network’s] telecommunications assets and Missouri customer base” to the other companies. This application was designated File No. TM-2011-0079. It further stated that, after the merger, all of American Fiber Network Inc.’s customers would be served by the other, affiliated entities, which had adopted American Fiber’s tariff(s).

2. Because American Fiber Network Inc. no longer provides telecommunications services in Missouri, Staff moves that the Commission cancel its certificate.

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.”

**WHEREFORE**, Staff recommends that the Commission cancel the Certificate of Service Authority for American Fiber Network Inc. to provide basic local and interexchange telecommunications service in Missouri, and cancel any accompanying tariff(s).

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 22<sup>nd</sup> day of November, 2011.

