

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

In the Matter of Delta	)	
Communications, LLC d/b/a	)	<b><u>File No. LD-2022-0153</u></b>
Clearwave Communications	)	
Cancellation of Certificate	)	

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and for its *Recommendation* states:

1. The Commission previously granted a certificate of service authority to Delta Communications, LLC, d/b/a Clearwave Communications on December 10, 2002, to provide basic local, non-switched local and interexchange telephone services in Case No. LA-2002-1075.

2. The Company notified the Commission December 6, 2021, that it wished to voluntarily relinquish its certificate of service authority in a letter filed to open this docket. The Company states that it currently has no Missouri customers so no customers will be affected by this cancellation.

3. Pursuant to 20 CSR 4240-28.011(3) notice shall be provided to the Commission to cancel certification(s) or registration(s) previously granted by the Commission. Notice should comply with the following requirements: (A) The company should submit written notice to the commission, as in a letter, containing the following information: (1) a statement requesting cancellation of a company's certification or registration and citing the specific certificates of service authority and/or registrations; (2) If the company also has a currently effective tariff, then the letter should also request cancellation of the tariff; (B) The letter can be signed by a company official and does not

need to be signed or filed by an attorney; and (C) The letter should be electronically filed in EFIS.

4. 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.”

5. 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). The Company has complied with all necessary requirements.

**WHEREFORE**, Staff respectfully recommends the Commission cancel the certificate of service authority to provide basic local, non-switched local and interexchange telecommunications services of Delta Communications, LLC, d/b/a Clearwave Communications; and grant such other and further relief as the Commission finds just in the circumstances.

Respectfully submitted,

**/s/ Whitney Payne**

Whitney Payne

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 9th day of December, 2021, to all counsel of record.

**/s/ Whitney Payne**