

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
May 30, 2000**

CASE NO: TD-2000-707

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Mary Ann (Garr) Young
William D. Steinmeier, P.C.
P. O. Box 104595
3031 Tower Drive
Jefferson City, MO 65110-4595

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of LECNet,)
Inc. for Cancellation of Certificate of)
Service Authority to Provide Interexchange) Case No. TD-2000-707
Telecommunications Service and Cancellation)
of Interexchange Tariff)

ORDER CANCELING CERTIFICATE

On April 28, 2000, LECNet, Inc. (LECNet) requested the Commission cancel its certificate to provide competitive interexchange telecommunications services within the state of Missouri and to cancel LECNet's interexchange tariff. LECNet stated that it was authorized to provide interexchange telecommunications services by Commission order issued in Case No. TA-94-229 issued on May 31, 1994. LECNet stated that it currently does not serve any interexchange customers and has no local exchange customers in Missouri.

LECNet stated that it is requesting cancellation of its interexchange certificate and tariff because LECNet has no customers and does not intend to seek or serve customers under this certificate. LECNet requested that this cancellation be effective as soon as possible.

LECNet stated that the cancellation of its certificate will not deprive any customer of intrastate interexchange telecommunications services or access thereto, and is not otherwise contrary to the public interest because LECNet does not currently have any customers. Section 392.460, RSMo (1994).

On May 5, 2000, the Staff of the Missouri Public Service Commission (Staff) filed its pleading recommending that the Commission cancel the certificate of service authority previously issued to LECNet. Staff confirmed that LECNet was certificated to provide interexchange telecommunications services on May 31, 1994, in Case No. TA-94-229. Staff stated that it is unaware of any other filing, which affects, or would be affected by, this proposal. Staff stated that it had no objections to LECNet's application and recommended that the Commission issue an order to cancel LECNet's certificate of service authority and accompanying tariff at its earliest convenience.

The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989). Since no one has requested a hearing in this case, the Commission may grant the relief requested based on the application.

Section 392.460, RSMo (1994), gives the Commission authority to cancel a telecommunications company's certificate of service authority. The Commission has reviewed the application and the Staff's recommendation. The Commission finds that the cancellation of LECNet's certificate granted on May 31, 1994, in Case No. TA-94-229, will not deprive any customers of intrastate interexchange telecommunications services or access thereto, and is not otherwise contrary to the public interest. Therefore, the Commission will cancel LECNet's certificate and accompanying tariff.

IT IS THEREFORE ORDERED:

1. That the certificate of service authority to provide intrastate interexchange telecommunications services, and its accompany tariff, granted on May 31, 1994 in Case No. TA-94-229, is canceled.

2. That this order shall become effective on June 9, 2000.

3. That this case may be closed after June 12, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly A. Register, Regulatory Law
Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1),
(November 30, 1995) and
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 30th day of May, 2000.

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

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 30th day of May 2000.

Dale Hardy Roberts

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

