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April 15, 2003

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Missouri Public Service Commission

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**Representative Office

DAVID A. O'CONNOR 202-828-1889

Internet Address: doconnor@hklaw.com

VIA CERTIFIED MAIL

Dale Roberts, Secretary/Chief Regulatory Law Judge Missouri Public Service Commission 200 Madison Street, Suite 100 Jefferson City, MO 65101

Re: RSL COM U.S.A., Inc. Application for Cancellation of Certificate of Authority Case No. TA-97-426

Dear Mr. Roberts:

Enclosed, on behalf RSL COM U.S.A., Inc. ("RSL"), are an original and fourteen (14) copies of RSL's petition for voluntary cancellation of its certificate to provide intrastate toll service in the State of Missouri.

Questions regarding this matter may be addressed to the undersigned.

Respectfully submitted,

HOLLAND & KNIGHT LLP

David A. O'Connor Counsel for RSL COM U.S.A., Inc.

Enclosures

cc (w/encl.): Office of the Public Counsel Office of the General Counsel Missouri Public Service Commission April 15, 2003 Page 2

> Office of the Public Counsel Governor Office Building Suite 650 200 Madison St. P.O. Box 7800 Jefferson City, MO 65102-7800

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

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Before the MISSOURI PUBLIC SERVICE COMMISSION Missouri Public Service Commission

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In the Matter of Application by RSL COM U.S.A., Inc. Requesting Cancellation of Its Certificate of Service Authority

Docket No.

To the Commission:

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APPLICATION BY RSL COM U.S.A., INC. REQUESTING CANCELLATION OF ITS CERTIFICATE OF AUTHORITY

Pursuant to 4 CSR 240-2.060 and the other rules and regulations of the Missouri Public Service Commission, RSL COM U.S.A. Inc. ("RSL") hereby respectfully requests that the Missouri Public Service Commission (the "Commission") cancel RSL's interexchange Certificate of Service Authority issued May 17, 1997 (Case No. TA-97-426).

I. Background.

On March 16, 2001, RSL filed a voluntary petition for reorganization pursuant to the provisions of Chapter 11 of the U.S. Bankruptcy Code in the Southern District of New York. (Consolidated Case Nos. 01-11457 and 01-11469).¹ On October 24, 2002, the Commission approved the transfer of RSL's assets and customers to another carrier, WorldxChange Corp. ("WorldxChange"). *See* Case No. XM-2003-0120. After receiving all required state and federal regulatory approvals, including bankruptcy court approval, and after notifying all affected RSL customers, the RSL/WorldxChange transaction was consummated on December 10, 2002. The Commission was duly notified of the consummation by letter dated

¹ For further information, please visit http://ecf.nysb.uscourts.gov/.

December 24, 2002 from counsel to WorldxChange. As of December 10, 2002, RSL has no customers in the State and has ceased operations. The company is now in the process of completing an orderly wind-down of its business affairs.

II. Relief Sought.

6.

In light of RSL's cessation of operations and lack of customers in the State of Missouri, RSL, by its attorneys, hereby requests decertification within the State of Missouri. RSL requests that the Commission grant this decertification request as soon as practicable so that RSL may complete the wind-down of its business.

III. Communications.

Correspondence, communications, and orders and decisions of the Commission concerning this matter are to be sent to:

> Lloyd Jordan MO Bar #31649 Holland & Knight LLP 2099 Pennsylvania Ave., NW, Suite 100 Telephone: (202) 955-3000 Facsimile: (312) 578-6666

E-mail Address: ljjordan@hklaw.com

with a copy to:

David A. O'Connor Holland & Knight LLP 2099 Pennsylvania Avenue N.W., Suite 100 Washington, D.C. 20006 Telephone: (202) 828-1889 Facsimile: (202) 955-5564 E-mail Address: doconnor@hklaw.com For the foregoing reasons, RSL respectfully requests that the Commission grant this Application and cancel the Certificate of Service Authority of RSL COM U.S.A., Inc.

Respectfully Submitted, Lloyd Jordan

MO Bar #31649 Holland & Knight LLP 2099 Pennsylvania Ave., NW, Suite 100 Washington, DC 20006 Telephone: (202) 955-3000 Facsimile: (312) 578-6666

Dated: April 15, 2003

MISSOURI PUBLIC SERVICE COMMISSION

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In the Matter of Application by RSL COM U.S.A., Inc. Requesting Cancellation of Its Certificate of Service Authority

Docket No.

To the Commission:

CERTIFICATE OF SERVICE

On April 15, 2003, RSL COM U.S.A., Inc. transmitted by certified mail to the office of the Public Counsel and the office of the General Counsel a true and correct copy of the above-referenced Application by RSL COM U.S.A., Inc. Requesting Cancellation of Its Certificate of Service Authority and the cover letter accompanying same.

Dated: April <u>5</u>, 2003.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By:

David A. O'Connor Holland & Knight LLP 2099 Pennsylvania Ave., NW Suite 100 Washington, DC 20006 Counsel for RSL COM U.S.A., Inc.

VERIFICATION

Eric Fishman, being duly sworn, deposes and says: that he is the Assistant Secretary of RSL COM U.S.A., Inc.; that he has read the foregoing Application by RSL COM U.S.A., Inc. Requesting Cancellation of Its Certificate of Service and knows the contents thereof, and that the same is true of his own knowledge except as to the matters therein stated upon information and belief, and as to those matters, he believes them to be true.

Eric Fishman Assistant Secretary, RSL COM U.S.A., Inc.

Subscribed and sworn to before me this the 15 day of April, 2003.

otary Public

My commission expires:

Laura E. Ledet Notary Public of the District of Columbia My Commission Expires 11/30/06

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