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FILED³

JAN 23 2004

Missouri Public
Service Commission

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January 22, 2004

Via Overnight Courier

Robert J. Quinn, Jr., Executive Secretary
Missouri Public Service Commission
200 Madison Avenue
Governor Office Building
Jefferson City, Missouri 65101

**Re: *In the Matter of the Application of Touch America, Inc.
to Cancel its Certificate of Service Authority and Tariffs***

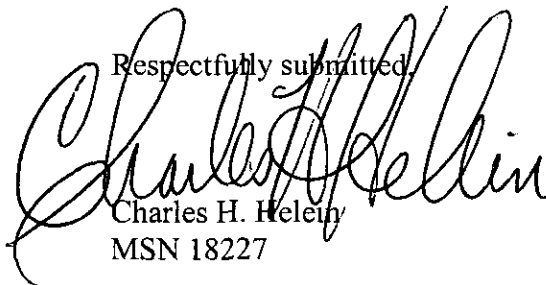
Dear Mr. Quinn:

On behalf of Touch America, Inc., transmitted herewith is an original plus eight (8) copies of its Application to Cancel Certificate of Service Authority and Tariffs.

An additional copy of this filing is also enclosed, to be date-stamped and returned in the postage prepaid envelope provided.

Should there be any questions regarding this matter, kindly contact the undersigned.

Respectfully submitted,



Charles H. Helein
MSN 18227

CHH/sr
Enclosures

cc: Service List

FILED³

JAN 23 2004

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

**Missouri Public
Service Commission**

**In the Matter of the Application of)
Touch America, Inc.)
To Cancel its Certificate of Service)
Authority and Tariffs in the State of Missouri.)**

Case No. _____

**APPLICATION TO CANCEL
CERTIFICATE OF SERVICE AUTHORITY AND TARIFFS**

COMES NOW Touch America, Inc. ("Touch America"), through its undersigned counsel, and pursuant to 4 CSR 240-2.060 and § 392.410(5), RSMo 2000, respectfully requests the Missouri Public Service Commission ("Commission") to cancel its Certificate of Service Authority and Tariff. In support of its Application, Touch America states as follows:

1. Touch America is a Montana corporation with its principal offices located at 130 N. Main Street, Butte, MT 59701. The Commission issued Touch America a Certificate of Service Authority to provide intrastate interexchange telecommunications services within the state of Missouri in Case No. TA-2001-110.

2. Touch America's certificate of authority to do business from the Missouri secretary of state was provided in Case No. TA-2001-110. Pursuant to 4 CSR 240-2.060(G), Touch America requests that the certificate and registration be incorporated by reference herein.

3. Touch America does not currently have any voice service customers in the state of Missouri and, as a result of its Chapter 11 bankruptcy filing, Touch America's other customers (ATM and Frame Relay) have been or will be transferred to other carriers by February 28, 2004. Touch America no longer intends to provide telecommunications service in Missouri. Accordingly, Touch America customer

notification is not necessary and there is no customer impact associated with approval of this petition.

4. Touch America does not have any pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the application. Touch America does not, to the best of its knowledge, have any overdue annual reports or assessment fees.

Contract Information

5. All communications, correspondence, and pleadings in regard to this application should be directed to Applicant's Regulatory Counsel at the following contact information:

Jonathan S. Marashlian
The Helein Law Group, LLP
8180 Greensboro Drive, Suite 700
McLean, Virginia 22102
Tel: 703-714-1313
Fax: 703-714-1330
E-mail: jsm@thlglaw.com

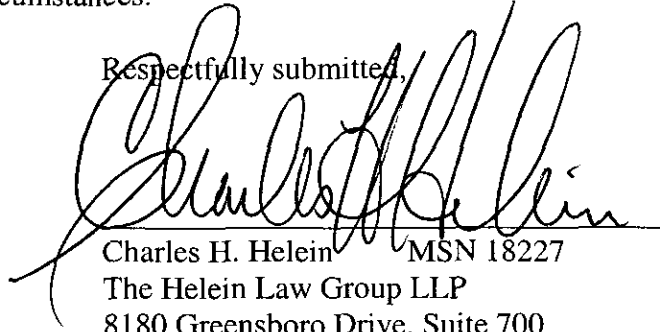
Public Interest

6. Cancellation of Touch America's Certificate of Service Authority and tariffs is not detrimental to the public interest. The public will not be harmed by Touch America's withdrawal because, as stated above, Touch America does not currently provide any voice telecommunications services to customers in Missouri, and thus, no customers will be affected. Furthermore, there are many other alternative telecommunications providers from whom Missouri residents can purchase interexchange telecommunications services.

Conclusion

WHEREFORE, Touch America, Inc. respectfully requests the Commission to issue an order canceling its certificate of service authority and tariffs and granting such other relief as is reasonable in the circumstances.

Respectfully submitted,



Charles H. Helein MSN 18227
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Date: January 22, 2004.

VERIFICATION

State of Montana)
) ss.
County of Silver Bow)

I, Michael Meldahl, President, being duly affirmed according to law, depose and say that I am authorized to make this affidavit on behalf of Touch America, Inc. and that the facts above set forth are true and correct to the best of my knowledge, information and belief.

Sign: *Michael Meldahl*

By: Michael Meldahl

Title: President

Subscribed and affirmed to before me this 20th day of January, 2004.

Notary public: *Lauri A. Yelenich*
Lauri A. Yelenich

My commission expires on the 9th day of September, 2004

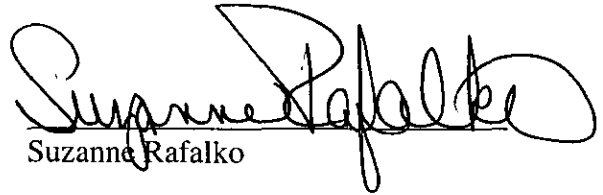


CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been mailed, First Class, postage prepaid this 22nd day of January, 2004, to:

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

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


Suzanne Rafalko