

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

In the Matter of the Cancellation of the)
Certificates of Service Authority)
of New Dawn Fiber)

File No. TD-2020-0XXX

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves for the Missouri Public Service Commission (Commission) to cancel the certificates of service authority to provide interexchange and competitive local exchange services and revoke the authority to provide interconnected voice over internet protocol (VoIP) services of New Dawn Fiber, (Company) and states:

1. The Commission previously granted certificates to provide competitive local exchange services and intrastate interexchange service authority and granted authority to provide VoIP services to the Company on June 21, 2018, in Case No. TA-2018-0300.

2. The Company notified the Commission on August 20, 2019, that it wished to voluntarily relinquish its certificates to provide competitive local exchange and intrastate interexchange services as well as its authority to provide VoIP services in a letter filed with the Commission as non-case filings BCES-2020-0086, BCES-2020-0087 and BCES-2020-0088. The letter is attached here as Attachment A.

3. Pursuant to 4 CSR 240-28.011(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).

WHEREFORE, Staff respectfully recommends the Commission cancel the certificates of service authority to provide interexchange and competitive local exchange services and the authority to provide IVoIP services of New Dawn Fiber; and grant such other and further relief as the Commission find.

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 29th day of August, 2019, to all counsel of record.

/s/ Whitney Payne


August 19, 2019

Re: FY2020 MoPSC Assessment

Public Service Commission

Please be advised that NewDawn Fiber has been sold as of 11/2/2018. Please cancel our certification and the above assessment for 2019.

Sincerely,



Kennis Mann
NewDawn Fiber