

**Before the
MISSOURI PUBLIC SERVICE COMMISSION**

In the Matter of)
)
)

Application of Birch Telecom of Missouri,) File No. TA-2013-0314
Inc. dba NOW Communications as an)
Eligible Telecommunications Carrier in the)
State of Missouri for the Limited Purpose of)
Offering Lifeline Service to Qualified)
Households)
_____)

**BIRCH TELECOM OF MISSOURI, INC. DBA NOW COMMUNICATIONS' NOTICE
OF WITHDRAWAL AND DISMISSAL OF APPLICATION**

Birch Telecom of Missouri, Inc. dba NOW Communications ("Birch"), by its attorneys, respectfully submits this Notice of Withdrawal and Dismissal of Application pursuant 4 CSR 240-2.116(1).

1. On or about November 13, 2012, Birch applied to the Missouri Public Service Commission ("Commission") for designation as a wireless ETC in Missouri for the sole purpose of receiving federal universal service Lifeline support.

2. Birch has now determined that a separate legal entity should pursue this authority. To that end, NOW Communications, LLC will promptly file its own application.

3. Prepared testimony has not been filed and oral testimony has not been offered in this proceeding.

4. Birch respectfully provides this Notice of Withdrawal and Dismissal of its application.

WHEREFORE, Birch hereby requests the Commission to accept this Notice of Withdrawal and Dismissal.

Respectfully submitted,

**BIRCH TELECOM OF MISSOURI, INC.
DBA NOW COMMUNICATIONS**

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Dated: January 7, 2013

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the foregoing has been served by forwarding the same by electronic mail and/or first class mail, postage prepaid this 7th day of January, 2013 to the following:

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/s/ Carl J. Lumley
