

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

In the Matter of the Cancellation of the)
Certificate of Service Authority and)
Accompanying Tariff of Hierholzer)
Communications, Inc. d/b/a Andrew)
Communications)

Case No. XD-2006-_____

**MOTION TO OPEN CASE AND CANCEL
CERTIFICATE OF SERVICE AUTHORITY AND TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves that the Commission open a case and cancel Hierholzer Communications, Inc. d/b/a Andrew Communications's certificate of service authority to provide interexchange telecommunications services and its tariff. In support of its Motion, Staff respectfully states as follows:

1. In August 2004, the Missouri Public Service Commission (Commission) issued its order in Case No. XA-2005-0023, granting Hierholzer Communications, Inc. d/b/a Andrew Communications a certificate of service authority to provide intrastate interexchange telecommunications and nonswitched local exchange telecommunications services. The Commission also approved its tariff, P.S.C. MO No. 1, in the same case.

2. Hierholzer Communications, Inc. d/b/a Andrew Communications has now requested the cancellation of its certificate of service authority. See Appendix A. According to an email received by the undersigned counsel from the company's president, Brian Hierholzer, and based on further discussions with the company's regulatory consultant, the company is not providing telecommunications service in Missouri and requests cancellation of the company's certificate.

3. The company owes no assessments to the Commission. The company has not submitted its 2005 annual report. No formal complaints have been filed against the company since the commencement of the Electronic Filing and Information System.

4. The company is a Texas corporation and remains in good standing in the State of Missouri according to the Missouri Secretary of State's website.

5. Because Hierholzer Communications, Inc. d/b/a Andrew Communications has requested cancellation of its certificate, and because it is not providing telecommunications service in Missouri, the Staff recommends that the Commission issue an order canceling Hierholzer Communications, Inc. d/b/a Andrew Communications's certificate and tariff.

6. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo. (Supp. 2004), which provides:

Any 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.

However, 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. 1989).

7. This pleading is being served on the address provided by the company to the Commission via certified mail, as well as upon its Missouri registered agent and its regulatory consultant.

WHEREFORE, the Staff recommends the Commission cancel the certificate of service authority granted Hierholzer Communications, Inc. d/b/a Andrew Communications to provide interexchange telecommunications services, as well as its accompanying tariff, Missouri P.S.C. MO No. 1.

Respectfully submitted,

/s/ **David A. Meyer**

David A. Meyer
Senior Counsel
Missouri Bar No. 46620

Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-8706 (Telephone)
(573) 751-9285 (Fax)
david.meyer@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or electronically mailed to all parties of record as shown below this 13th day of June 2006.

/s/ **David A. Meyer**

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

Jeff City Filing Inc.
Registered Agent for
Hierholzer Communications, Inc.
d/b/a Andrew Communications
222 East Dunklin, Suite 222
Jefferson City, MO 65101

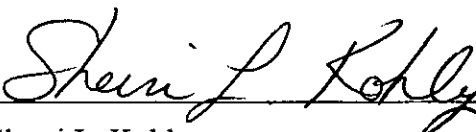
Hierholzer Communications, Inc.
d/b/a Andrew Communications
12400 St. Hwy 71 W, Ste. 350-407
Austin, TX 78738
(via certified mail)

Hierholzer Communications, Inc.
d/b/a Andrew Communications
c/o Judith Riley
2912 Lakeside Drive
Oklahoma City, OK 73130

VERIFICATION

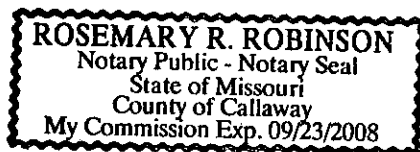
STATE OF MISSOURI)
)
COUNTY OF COLE)

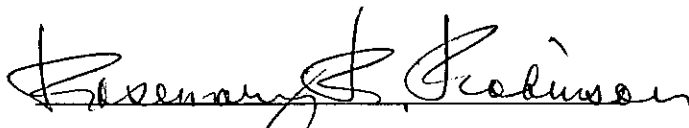
Comes now Sherri L. Kohly, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that the affiant has read the accompanying pleading, and that the facts therein are true and correct to the best of her knowledge.



Sherri L. Kohly
Affiant

Subscribed and affirmed before me this 12th day of June 2006. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on 9-23-2008.





NOTARY PUBLIC

Meyer, David

Subject: FW: Missouri Public Service Commission certificate of Andrew

From: Brian Hierholzer [mailto:brian@artisan-com.com]
Sent: Thursday, June 08, 2006 8:10 AM
To: Meyer, David
Subject: RE: Missouri Public Service Commission certificate of Andrew Communications

Please move forward as I am seeking rescission of a corporation's certificate of service authority in Missouri.

Thank you,

Brian Hierholzer
President
Andrew Communications.

From: Meyer, David [mailto:david.meyer@psc.mo.gov]
Sent: Thursday, June 08, 2006 8:00 AM
To: brian@artisan-com.com
Subject: RE: Missouri Public Service Commission certificate of Andrew Communications

From you, it will. Just make sure you identify yourself in the email as the president of Andrew Communications.
Thanks!

From: Brian Hierholzer [mailto:brian@artisan-com.com]
Sent: Wednesday, June 07, 2006 10:16 PM
To: Meyer, David
Cc: 'Judy Riley'
Subject: RE: Missouri Public Service Commission certificate of Andrew Communications

David,
I appreciate your help with this. Please let me know if an email will suffice for requesting cancellation in writing.

Thanks

Brian

6/9/2006

APPENDIX A