

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

In the Matter of the Cancellation of the)	
Certificate of Service Authority and)	<u>File No. XD-2014-</u>
Tariff of Covista Communications, Inc.)	Tariff No. JX-2003-0471

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

COMES NOW the Staff of the Missouri Public Service Commission and moves for the Missouri Public Service Commission (Commission) to cancel the certificate of interexchange service authority in Missouri of Covista Communications, Inc. (“the Company) and states as follows:

1. On December 20, 2000, the Commission granted a certificate of interexchange service authority to the Company in Case No. TO-2001-0319. It has an existing approved tariff, no. JX-2003-0471.

2. On March 25, 2013, the Company’s assets were purchased by Birch Telecom of Missouri, Inc. (see BMGR-2013-0567).

3. As all the Covista customers and other assets have been transferred, the Staff moves that Covista’s certificate and tariff be cancelled. The Staff has contacted both Birch and Covista, both of which do not object to the Staff’s position in this matter.

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, the Staff respectfully recommends the Commission cancel the certificate of service authority of Covista Communications, Inc. to provide interexchange telecommunications service in Missouri as well as its tariff.

Respectfully submitted,



Colleen M. Dale
Senior Counsel
Missouri Bar No. 31624
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-4255 (Telephone)
cully.dale@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 16th day of September, 2013.

