

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

In the Matter of the Name Change of	)	
OPEX Communications, Inc.	)	Case No. XN-2011-0074
d/b/a TCI Long Distance	)	Tariff No. YX-2011-0125

NOTICE OF WITHDRAWAL

COMES NOW the Staff of the Missouri Public Service Commission and for its Notice states:

1. On September 14, 2010, OPEX Communications, Inc. filed a tariff adoption notice, to become effective on October 14, 2010, that would permit it to operate under the name TCI Long Distance as well as OPEX Communications, Inc. The Commission Ordered the Staff to file its recommendation in the matter on or before October 7, 2010, which was extended, on the Staff's request, to November 5, 2010.

2. On November 5, 2010, the Staff filed its recommendation, in which it asked that the Company's request to adopt a second name be denied, by rejecting the tariff adoption notice. The Staff explained in its recommendation that, due to necessary consumer protections and present system constraints, when a company wants to adopt a second name, it must file an application for certification under that second name.

3. On November 9, 2010, after discussing the filing requirements with the Company, the Staff received the attached e-mail from it, asking that its filing be withdrawn. The Staff believes that such withdrawal is the most expedient way for the Company to proceed with its request in a proper form, and that such withdrawal will not prejudice its future efforts.

4. Although the tariff adoption notice in this matter has been suspended, the Staff believes that OPEX may withdraw without prejudice. This matter, although technically contested, has allowed the Staff to fully explore why companies using a second name must apply for a second certificate and to determine whether the requirement was still necessary. As noted in the Staff Recommendation, the Company filed its adoption notice in this case exactly the way they were told to file it. The Staff has no desire for the Company to be inconvenienced further in this proceeding.

WHEREFORE, the Staff respectfully requests that the Commission accept OPEX's withdrawal, indicate that such withdrawal does not prejudice OPEX in any way, and close this file.

Respectfully submitted,



Colleen M. Dale
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Missouri Public Service Commission
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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 10th day of November, 2010.



-----Original Message-----

From: Regulatory Opexld [mailto:regulatory@opexld.com]

Sent: Tuesday, November 09, 2010 12:01 PM

To: Dale, Cully

Subject: OPEX Communications, Inc. File No. XN-2011-0074

Dear Ms. Dale,

Per our telephone discussion, OPEX Communications, Inc. hereby withdraws the tariff adoption notice filed on September 14, 2010.

If you have any questions or need additional information, please let me know.

Thank you,

--

Alice Breslow

Compliance Paralegal

OPEX Communications, Inc.

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