

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the Certificate)
Of Service Authority and Associated Tariff of) **File No. XD- 2014-0106**
ABA Net, LLC to Provide Interexchange) Tracking No. YX-2007-0530
Telecommunications Services in the State)
Of Missouri)

ORDER CANCELLING CERTIFICATE AND ACCOMPANYING TARIFF

Issue Date: December 18, 2013

Effective Date: December 30, 2013

On March 1, 2007, ABA Net, LLC (“ABA” or “Company”) was issued a certificate of service authority to provide interexchange telecommunications services in the State of Missouri in File No. TA-2007-0285.

Pursuant to Section 392.210.1, RSMo (2000) every telecommunication company is required to file an annual report with the Commission. Commission Rule 4 CSR 240-3.540(1) requires the annual report be filed no later than the 15th of April. ABA failed to file an annual report for calendar year 2012 with the Commission.

On October 23, 2013, the Staff of the Missouri Public Service Commission filed a motion requesting ABA’s certificate of service authority and associated tariff (Tracking No. YX-2007-0530) be cancelled due to ABA’s failure to file a 2012 Annual Report. Staff also requested ABA be ordered to notify the Commission upon completion of the transfer of its customers to other providers.

The Commission has the authority to cancel a certificate and tariff pursuant to Section 392.410.5, RSMo Cum.Supp.2012, which states, in part,

“[a]ny certificate or 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.”

On October 24, 2013, the Commission issued an *Order Directing Notice* allowing any party to file an objection or request a hearing no later than November 25, 2013. No objections or requests for a hearing were filed. The Commission need not hold a hearing, if, after proper notice and opportunity to intervene, no party requests such a hearing.¹

Based on Staff’s motion, the Commission shall cancel the certificate of service authority and accompanying tariff granted to ABA. ABA will be ordered to notify the Commission once the transfer of its customers to another provider is completed.

THE COMMISSION ORDERS THAT:

1. The certificate of authority to provide interexchange telecommunications services in the State of Missouri, granted to ABA Net, LLC in File No. TA-2007-0285 is cancelled.
2. ABA Net, LLC’s tariff, P.S.C. MO No. 1, is cancelled.
3. ABA Net, LLC shall provide written notice to the Staff of the Commission upon completing the transfer of company’s existing customers to other providers.
4. This order shall become effective on December 30, 2013.

¹ *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

5. This file may be closed on January 30, 2014.

BY THE COMMISSION



A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Kim S. Burton, Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri
on this 18th day of December, 2013.