

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Cancellation of Certificate )	
Of Service Authority and Cancellation )	<b><u>File No. XD-2011-0211</u></b>
Of Tariff of NewPath Networks, LLC )	Tracking No. YL-2008-0309

## ORDER CANCELING CERTIFICATE AND ACCOMPANYING TARIFF

Issue Date: March 23, 2011

Effective Date: April 2, 2011

On December 30, 2010, the Staff of the Missouri Public Service Commission filed a motion requesting NewPath Networks, LLC ("NewPath") certificate of service authority and accompanying tariff to provide interexchange telecommunication services in the State of Missouri be cancelled.

In File Number LA-2008-0148, the Commission granted NewPath a certificate of service authority to provide interexchange telecommunication service in the State of Missouri. The Company's tariff, P.S.C. Mo No. 1, was also approved.

Staff states in its motion that NewPath has reported no jurisdictional revenue in annual reports for the years 2008 and 2009. Staff notes that it is not in the public interest to allow telecommunication companies to retain their certificates of service authority if they have not conducted business in Missouri for over a year. Staff recommends that the Commission cancel the company's certificate of service authority to provide interexchange telecommunications services, and the company's accompanying tariff.

On January 28, 2011, the Commission issued an Order Directing Notice allowing any parties to file an objection or request a hearing to do so no later than February 7, 2011. No objections or requests for a hearing were filed.

The Commission has the authority to cancel a certificate and tariff pursuant to Section 392.410.5, RSMo, 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.”

Based on Staff’s motion, the Commission finds that the certificate of service authority and accompanying tariff granted to NewPath Networks, LLC, shall be canceled.

**IT IS ORDERED THAT:**

1. The certificate of authority to provide interexchange telecommunications services granted to NewPath Networks, LLC, in File Number LA-2008-0148, is canceled.
2. NewPath Networks, LLC’s tariff, P.S.C. Mo No. 1, is canceled.
3. This order shall become effective on April 2, 2011.

4. This case may be closed on April 3, 2011.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'S. Reed', written over a horizontal line.

Steven C. Reed  
Secretary

(SEAL)

Nancy Dippell, Deputy Chief Regulatory Law  
Judge, by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri  
on this 23rd day of March, 2011.