

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

Joint Application of Acceris Management and)
Acquisition, LLC, New Access Communications, LLC)
and First Communications, LLC for (i) Approval of the)
Transfer of Assets, including Customers, of Acceris)
Management and Acquisition, LLC and New Access) **Case No. TM-2007-0203**
Communications, LLC to First Communications, LLC;) **Tariff No. YX-2007-0422**
and (ii) the Voluntary Surrender of the Authorizations)
of Acceris Management and Acquisition, LLC and)
New Access Communications, LLC)

ORDER CANCELING CERTIFICATES AND TARIFFS

Issue Date: April 2, 2007

Effective Date: June 1, 2007

Syllabus: This order cancels the certificates of service authority and tariffs of Acceris Management and Acquisition, LLC and New Access Communications, LLC.

On November 29, 2006, First Communications, LLC ("First"), Acceris Management and Acquisition, LLC ("Acceris") and New Access Communications, LLC ("New Access") (collectively, "Applicants") filed an application, pursuant to RSMo Section 392.300¹ and 4 CSR 240-3.520, requesting that the Commission grant them the authority necessary to consummate transactions involving the transfer of the assets of Acceris and New Access to First. On January 11, 2007, the Commission issued an order granting that authority and authorizing the transfer of assets. In that same order, the Commission directed the Applicants to file an appropriate notice in this case upon the closing of the approved

¹ All statutory references throughout this order are to RSMo 2000 unless otherwise noted.

transaction so that the Commission would know when the approved transaction was completed and when the certificates of service authority and tariffs of Acceris and New Access could be canceled. Acceris is currently authorized to provide long distance telecommunications services in Missouri.² New Access provides competitive local and long distance telecommunications services to primarily residential customers and is authorized to provide long distance resale telecommunications services in Missouri.³

On March 19, 2007, the Applicants jointly filed a status report representing to the Commission that the asset transaction is complete. The Applicants requested that the Commission delay the cancellation of Acceris's and New Access's certificates of authority and tariffs until June 1, 2007, to assure that there are no unintended collateral complications related to the transition of interconnection traffic. No responses to the Applicants' request were filed by any party.

The Commission has the authority to cancel a telecommunications corporation's certificate under Section 392.410.5, which states, "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." The Applicants jointly requested the Commission to cancel Acceris's and New Access's certificates once the transfer of assets was complete. No proper party has requested hearing or objected to the cancellation occurring on June 1, 2007. The Commission will cancel the certificates and the associated

² See Case No. TA-2005-0507, Tariff No. YX-2005-1166 effective August 14, 2005.

³ See Case No. TA-2001-560, Tariff No. 200101049 effective May 18, 2001.

tariffs, and the Commission finds the Applicants' request to make the cancellation effective on June 1, 2007 to be reasonable and shall grant that request.

IT IS ORDERED THAT:

1. Acceris Management and Acquisition, LLC's certificate of service authority to provide intrastate interexchange telecommunications services and nonswitched local exchange telecommunications services in Missouri issued in Case Nos. TA-2005-0507 is canceled.

2. Acceris Management and Acquisition, LLC's tariff approved in relation to its certificate of service authority to provide intrastate interexchange telecommunications services and nonswitched local exchange telecommunications services in Missouri issued in Case Nos. TA-2005-0507, Tariff No. YX-2005-1166, is canceled.

3. New Access Communications, LLC's certificate of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri issued in Case Nos. TA-2001-560 is canceled.

4. New Access Communications, LLC's tariff approved in relation to its certificate of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri issued in Case Nos. TA-2001-560, Tariff No. JX-2004-0354, is canceled.

5. This order shall become effective on June 1, 2007.

6. This case may be closed on June 2, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 2nd day of April, 2007.