

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Aero Communications, LLC's )  
Request for Cancellation of Certificates of ) **File No. CD-2023-0083**  
Service Authority )

In the Matter of Aero Communications, LLC's )  
Request for Cancellation of Certificates of ) **File No. XD-2023-0084**  
Service Authority )

## ORDER CANCELLING CERTIFICATES OF AUTHORITY AND CANCELLING TARIFF

Issue Date: September 26, 2022

Effective Date: October 26, 2022

On August 29, 2022, Aero Communications, LLC. (Aero) filed a letter requesting the Commission to cancel its certificate of service authority to provide interexchange and non-switched local exchange carrier service (granted in Case No. Case No. XA-2006-0277), and its certificate of service authority to provide basic local telecommunications services (granted in Case No. CA-2006-0255), in the State of Missouri. Aero also asked the Commission to cancel its tariff for interexchange services with tracking number YX-2006-0514. On August 29, the Commission issued an order directing Staff to file a recommendation on Aero's request.

On September 13, the Staff of the Commission filed its recommendation, explaining that Aero does not serve any customers in Missouri, stating that Aero's request is in compliance with Commission Rule 20 CSR 4240-28.011(3), and recommending that the Commission cancel Aero's certificate of service authority and cancel its tariff.

The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5, RSMo, which states, in part, "[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.”

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). More than ten days have passed since Staff’s recommendation and no party has responded to that recommendation.<sup>1</sup>

Based on Aero’s request and Staff’s recommendation, the Commission will cancel the registrations granted to Aero, and its applicable tariff.

**THE COMMISSION ORDERS THAT:**

1. Aero’s certificate of service authority to provide interexchange and non-switched local exchange carrier service granted in Case No. Case No. XA-2006-0277, and the certificate of service authority to provide basic local telecommunications services granted in Case No. CA-2006-0255, are cancelled.

2. Aero’s tariff for interexchange services with tracking number YX-2006-0514 is cancelled.

3. This order shall become effective on October 26, 2022.

4. This file may be closed on October 27, 2022.



**BY THE COMMISSION**

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

Morris L. Woodruff  
Secretary

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<sup>1</sup> Commission Rule 20 CSR 4240-2.080(13) allows parties ten days to respond to any pleading unless otherwise ordered by the Commission.

Ross Keeling, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri  
on this 26<sup>th</sup> day of September, 2022.

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 26<sup>th</sup> day of September, 2022.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**September 26, 2022**

**File/Case No. CD-2023-0083 and XD-2023-0084**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.