

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Cancellation of Certificate of Service	)	
Authority and Cancellation of Tariff	)	File No. XD-2011-0186
of ANI Networks.	)	

**AFFINITY NETWORKS, INC. D/B/A ANI NETWORKS' OBJECTION TO STAFF MOTION
FOR CANCELLATION AND REQUEST FOR HEARING**

COMES NOW Affinity Networks, Inc. d/b/a ANI Networks ("ANI" or "Company") and, by its undersigned counsel, respectfully submits its objection to the Staff Motion underlying this proceeding and, insofar as necessary, requests a hearing on the matter. In support of its objection and request, ANI states as follows:

1. ANI is an authorized interexchange carrier in the state of Missouri. The Company received its Certificate of Service Authority to provide resold interexchange services on April 5, 1993 in Docket No. TA-92-27 and expanded authority to provide facilities-based interexchange services on January 11, 2007 in Case No. TA-2007-0195. ANI maintains an effective tariff on file with the Commission.

2. On December 29, 2010, the Staff of the Missouri Public Service Commission submitted a motion for cancellation of ANI's interexchange Certificate of Service Authority ("Motion"). The basis for this Motion is ANI's lack of reported intrastate revenues in its 2008 and 2009 annual reports.

3. On December 30, 2010, the Commission issued an *Order Directing Notice* which set a deadline of January 10, 2011 for the filing of objections to the Staff Motion and/or requests for hearing in the matter.

4. ANI acknowledges that it had only nominal intrastate revenue in 2008¹ and no intrastate revenue in 2009; however, the Company is pleased to inform the Commission that it provided intrastate Missouri interexchange services in 2010 and will report the associated revenues to the Commission once the new annual report form is released.²

5. ANI understands the Staff's concern regarding administrative costs associated with inactive certificated providers; however, effective with its 2010 operations, ANI is an active provider of intrastate Missouri services. Consequently, the rationale for the requested Certificate cancellation does not apply to ANI. Further, as an active provider, ANI is serving Missouri customers. Cancellation of the Company's authority would compel discontinuance of those services and result in unwarranted injury to those Missouri consumers. For these reasons, ANI believes that cancellation of its operating authority in Missouri at this time would be contrary to the public interest.

WHEREFORE, ANI submits its objection to Staff's Motion for cancellation of ANI's Certificate of Service Authority and requests a hearing upon the matter, insofar as the Commission may deem it necessary or beneficial.

¹ Technically, ANI did not have zero revenues in 2008 as the report evidences \$5 in retail revenues.

² The Company would have appended a preliminary annual report to its response; however, as the Commission is aware, the 2010 annual report form is currently being finalized and has not yet been released to the public.

Respectfully submitted,

CURTIS, HEINZ,
GARRETT & O'KEEFE, P.C.

/s/ Carl J. Lumley

Carl J. Lumley, #32869
130 S. Bemiston, Suite 200
St. Louis, Missouri 63105
(314) 725-8788
(314) 725-8789 (FAX)
Email: clumley@lawfirmemail.com

Attorney for Affinity Networks, Inc.
d/b/a ANI Networks

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing documents was either faxed, emailed, or mailed by U.S. Mail postage paid this 7th day of January, 2011, to the following:

General Counsel Office
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
gencounsel@psc.mo.gov

Office of Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

Cully Dale
Missouri Public Service Commission
200 Madison Street
P.O.Box 360
Jefferson City, Mo 65102
cully.dale@psc.mo.gov

/s/ Carl J. Lumley
