

FILED
June 4, 2013
Data Center
Missouri Public
Service Commission

Missouri Public Service Commission

General Counsel
P. O. Box 360, Suite 800
Jefferson City, Missouri 65102 102

MO 419-2629 (4-01)

RECEIVED
MAY 29 2013

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION

CLEC Inc.
151 S. 18th Street, Ste. T
Kansas City, KS 66102

FIRST CLASS



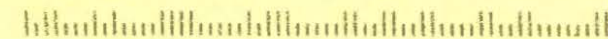
UNITED STATES POSTAGE
02 1R
0002099525
MAILED FROM ZIP CODE 6
\$ 00.4
MAY 17

WIXIE 641 DE 1 00 05/24

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 65102036060 *2864-11911-1

65102036060



**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Cancellation of the Certificate of)
Service Authority of CLEC, Inc., to Provide Basic)
Local, Local Exchange and Interexchange)
Telecommunications Services in the State of Missouri)

File No. LD-2013-0497

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW Staff of the Missouri Public Service Commission ("Staff"), by and through the undersigned counsel, and moves for the Missouri Public Service Commission ("Commission") to cancel the certificate of service authority of CLEC, Inc. ("CLEC"). For its Motion, Staff states as follows:

1. On March 10, 2006, the Commission granted CLEC a certificate of service authority to provide basic local telecommunications services, non-switched local exchange telecommunications services restricted to dedicated private line services, and interexchange telecommunications services in the state of Missouri in Case No. LA-2006-0274.

2. In January 2013, Staff received CLEC's Statement of Revenue for calendar year 2012, in which CLEC states it no longer wishes to retain its certificate of service authority. (See Highly Confidential Attachment A).

3. Because CLEC requested cancellation of its certificate and it is not providing services in Missouri to the best of Staff's knowledge, information and belief, Staff recommends that the Commission cancel the certificate.

4. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5, RSMo 2000, which provides "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."

5. 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).

6. CLEC is current on payment of fiscal year assessments and submission of annual reports.

WHEREFORE, Staff recommends that the Commission cancel the certificate of service authority of CLEC, Inc., to provide basic local telecommunications services, non-switched local exchange telecommunications services restricted to dedicated private line services, and interexchange telecommunications services in the state of Missouri.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez
Senior Staff Counsel
Missouri Bar No. 59814
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751- 8706 (Telephone)
(573) 751-9285 (Fax)
jennifer.hernandez@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on this 17th day of May 2013 by: First Class United States Postal Mail, postage prepaid, to CLEC Inc., Suite T, 151 S. 18th Street, Kansas City, KS 66102; by electronic mail to CLEC, Inc., at tcampanaro@yourtel.com and phicks@yourtel.com; and by electronic mail to the Office of the Public Counsel at opcservice@ded.mo.gov.

/s/ Jennifer Hernandez