

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 27th  
day of December, 1995.

In the matter of: Application of Athena )  
International, L.L.C. for a certificate of )  
service authority to provide intrastate )  
operator-assisted services, to operate as ) CASE NO. TA-95-401  
reseller of interexchange telecommunications )  
services and for approval of its initial )  
tariff. )

ORDER DISMISSING APPLICATION

Athena International, L.L.C. (A.I. or Applicant), applied to the Missouri Public Service Commission on June 1, 1995, for a certificate of service authority to provide intrastate interexchange telecommunications services within the state of Missouri. Applicant filed a tariff on June 1, 1995, with an effective date of August 26, 1995. The Commission suspended the tariff until June 24, 1996, scheduled a prehearing conference for November 29, 1995, and directed that a hearing be held. The Commission Staff (Staff) and the Office of the Public Counsel (OPC) appeared for the prehearing conference on November 29, 1995, but A.I. failed to appear or to request that it be excused as required by Commission rule. 4 CSR 240-2.090(5). OPC filed a motion on December 4, 1995, asking the Commission to dismiss A.I.'s application. OPC stated that A.I. had not communicated with Staff or OPC or otherwise pursued the application, and failed to appear for the prehearing conference, making A.I. subject to dismissal by Commission rule. Staff filed a similar motion to dismiss on December 14, 1995. A.I. filed no response within the ten days allowed by Commission rule. 4 CSR 240-2.080(12)

Having reviewed the motions and official case file, the Commission finds that A.I. has failed to pursue the application process, failed to communicate with the parties, and failed to appear at the prehearing conference without seeking permission to be absent or asking for a continuance. A.I. has filed no response to the motions seeking dismissal of its application. The Commission finds that A.I.'s application for a certificate of service authority should be denied and the accompanying tariff should be rejected.

**IT IS THEREFORE ORDERED:**

1. That the application for a certificate of service authority to provide intrastate operator-assisted services, and to operate as a reseller of interexchange telecommunications services filed by Athena International L.L.C. on June 1, 1995, is dismissed.

2. That the tariff filed by Athena International L.L.C. on June 1, 1995, is rejected. The tariff rejected is:

**P.S.C. Mo. No. 1.**

3. That this order shall become effective on January 8, 1996.

BY THE COMMISSION



David L. Rauch  
Executive Secretary

(S E A L)

Mueller, Chm., McClure, Crumpton,  
and Drainer, CC., Concur.  
Kincheloe, C., Absent.