

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
Comcast IP Phone of Missouri, LLC for)
Certificate of Service Authority to Provide)
Local Exchange and InterExchange) Case No. LO-2008-0217
Telecommunications Services Throughout)
the State of Missouri and to Classify the)
Company as Competitive)

COMCAST'S WITHDRAWAL OF APPLICATION

Comes now Comcast IP Phone of Missouri, LLC d/b/a Comcast Digital Voice (“Comcast”), and states:

1. Comcast provides Comcast Digital Voice Service through the use of Voice over Internet Protocol (“VoIP”) technology. The Commission’s November 1 Report and Order in Case No. TC-2007-0111 (“the November 1 Order”) directed Comcast to apply for an appropriate certificate of service authority by December 31, 2007. Comcast initiated the subject proceeding by filing the Application called for in the November 1 Order, seeking a certificate of authority to provide (a) local exchange telecommunications service and (b) interexchange telecommunications service.

2. On April 30, 2008, and May 5, 2008, the Senate and House of Representatives of the General Assembly, respectively, voted overwhelmingly to adopt HB 1779, which *inter alia* addresses the extent to which the State will regulate the provision of voice services through the use of VoIP technology. The bill became law on August 28, 2008. Under Ch. 392.550.3 of the new law, VoIP providers must obtain a registration from the Commission. The Commission will issue the registration upon the provider's filing of an application, supported by an affidavit from an appropriate manager, which provides certain information concerning the provider and

commits the provider to making contributions to the Missouri Universal Service Fund, the Telecommunications Relay Service fund, and for enhanced 911 service, paying applicable local license taxes and annual assessments to the Commission, and filing annual reports with the Commission.

3. Comcast received its VoIP registration in Docket No. DA-2009-0060 on September 17, 2008. Thus, there is no need for Comcast to receive the certificate of service authority for local and interexchange telecommunications service.

4. 4 CSR 240-2.116 permits the voluntary dismissal of an application at any time before prepared testimony has been filed or oral evidence has been offered. By this pleading, Comcast withdraws its Application.

WHEREFORE, Comcast voluntarily withdraws its application for a certificate of service authority and requests that the Commission close the proceeding.

Respectfully submitted,

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ATTORNEYS FOR COMCAST IP PHONE OF
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VOICE

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been transmitted electronically to all counsel of record this 29th day of October, 2008.

/s/ Mark P. Johnson

Attorney for Comcast IP Phone of Missouri,
LLC d/b/a Comcast Digital Voice