

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
August 31, 2001

CASE NO: TD-2002-115

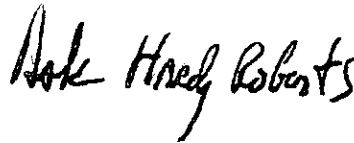
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts**  
Secretary/Chief Regulatory Law Judge

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

In the Matter of the Application of FirstWorld     )  
Communications, Inc., to Cancel its Certificate    )  
of Service Authority and Tariffs in the State of   )  
Missouri.    )

**Case No. TD-2002-115**

**ORDER CANCELING CERTIFICATE**

On August 21, 2001, Firstworld Communications, Inc. (Firstworld), filed an application asking the Commission to cancel its certificate of service authority and tariffs. FirstWorld is a Delaware corporation, and was certificated by the Commission to provide interexchange telecommunications services within the state of Missouri on December 10, 1998, in Case No. TA-99-190. The application for certificate cancellation indicates that due to a change in business plans, FirstWorld requests that the Commission cancel its certificate of service authority and tariffs since FirstWorld has no customers in the state of Missouri and no longer provides telecommunications services in the state of Missouri.

On August 27, 2001, the Commission issued an Order Directing Filing, instructing the Staff of the Commission to file its recommendation in this matter no later than September 26, 2001.

On August 28, 2001, Staff filed its Recommendation, recommending that the Commission issue an order to cancel the company's certificate of service authority to provide interexchange telecommunications services, along with its accompanying tariff. Staff states that the Commission has the authority to cancel a telecommunications corporation's certificate pursuant to Section 392.410, RSMo 2000, which provides that

"[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 requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence.<sup>1</sup> 4 CSR 240-2.080(16) provides that parties are allowed not more than ten days in which to respond to any pleading unless otherwise ordered by the Commission. More than ten days have passed since Staff filed its recommendation. No response has been filed and no one has requested a hearing. Therefore, the Commission may grant the relief requested based on Staff's motion.

After considering FirstWorld's application and Staff's Recommendation and Memorandum, the Commission concludes that FirstWorld's Certificate of Service Authority and its accompanying tariffs should be canceled.

**IT IS THEREFORE ORDERED:**

1. That the certificate of service authority to provide interexchange telecommunications services, and accompanying tariffs, granted to FirstWorld Communications, Inc., in Case No. TA-99-190 are canceled.
2. That this order shall become effective on September 10, 2001.

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<sup>1</sup> *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989)

3. That this case may be closed on September 11, 2001.

**BY THE COMMISSION**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

( S E A L )

Vicky Ruth, Senior Regulatory Law  
Judge, by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

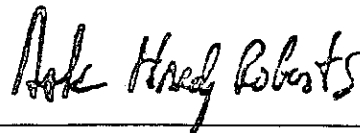
Dated at Jefferson City, Missouri,  
on this 31st day of August, 2001.

**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 31<sup>st</sup> day of August 2001.**



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**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

