

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

The Staff of the Missouri Public)
Service Commission,)
)
Complainant,)
)
v.)
)
Birch Telecom of Missouri, LLC.,)
d/b/a)
Birch Communications, LLC.,)
)
Respondent,)
)

Case No. TC-2019-0136

MOTION TO DISMISS

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Motion to Dismiss* in this matter hereby states:

1. Staff filed a *Complaint* against Birch Communications, LLC. on November 13, 2018 for failure to pay the fiscal year 2019 assessment. The Commission directed Birch Communications, LLC. to file an answer to Staff's Complaint no later than December 14, 2018.
2. On December 13, 2018, Birch Communications, LLC. filed its *Answer and Affirmative Defenses*.
3. On December 20, 2018, Staff received payment in full from Birch Communications, LLC. for the fiscal year 2019 assessment.
4. Staff now files to dismiss this case.

WHEREFORE, Staff prays that the Commission will accept its *Motion to Dismiss*; and grant such other and further relief as the Commission considers just in the circumstances.

/s/ Travis J. Pringle

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 20th day of December, 2018, to all counsel of record.

/s/ Travis J. Pringle