

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

In the Matter of the Cancellation of the)
Certificate of Service Authority and)
Tariffs of WilTel Local Network, LLC.) **Case No.** _____

**MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY
AND ACCOMPANYING TARIFFS**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and moves the Missouri Public Service Commission (the Commission) cancel the certificate of service authority to provide intrastate interexchange and nonswitched local exchange services of WilTel Local Network, LLC (WilTel or the Company), as well as the Company's applicable tariffs. For said motion, Staff respectfully states the following:

1. In Case No. TA-2000-468 the Commission granted Williams Local Network, Inc. a certificate of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri.
2. In Case No. TO-2001-535 Williams Local Network, Inc. changed its corporate name to Williams Local Network, LLC.
3. In Case No. XN-2005-0011 Williams Local Network, LLC changed its corporate name to WilTel Local Network, LLC.
4. In 2006, Level 3 Communications, Inc. (Level 3) acquired WilTel Local Network, LLC.

5. On October 17, 2008, Staff received a letter from the Regulatory Counsel of Level 3, requesting that the Commission cancel the certificate of service authority of WilTel. See Appendix A.

6. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo (Supp. 2007), which provides “[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.”

7. 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. 1989).

8. WilTel owes no past assessments to the Commission.

9. WilTel is not delinquent in the filing of its annual report.

10. WilTel does not currently provide any regulated intrastate services to customers in Missouri.

11. Because WilTel has requested cancellation of its certificate and it is not providing services in Missouri, Staff recommends the Commission issue an order canceling said certificate and tariffs.

WHEREFORE, the Staff respectfully recommends the Commission cancel the certificate of service authority of WilTel Local Network, LLC to provide intrastate interexchange and nonswitched local exchange services in Missouri, and all applicable tariffs.

Respectfully submitted,

/s/ Eric Dearmont

Eric Dearmont

Assistant General Counsel

Missouri Bar No. 60892

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Missouri Public Service Commission

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to the following individuals this 7th day of November, 2008.

/s/ Eric Dearmont



RECEIVED

OCT 17 2008

Executive Director
MO PSC

Gregory T. Diamond
Regulatory Counsel
Southern Region

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September 30, 2008

Wess Henderson
Executive Director
Missouri Public Service Commission
200 Madison Street
Governor Office Building
Jefferson City, MO 65101

received

11-03-08
BV

Re: *WilTel Local Network, LLC*


Dear Mr. Henderson:

On March 9, 2000, the Commission granted a certificate of service authority to WilTel Local Network, LLC to provide intrastate interexchange and local exchange telecommunications services ("Certificate").⁶ In 2006, Level 3 acquired WilTel Local Network, LLC.

WilTel Local Network, LLC does not provide in the State of Missouri any telecommunications or other services, own or control any facilities or have any customers. Accordingly, WilTel Local Network, LLC surrenders its Certificate. WilTel Local Network, LLC requests that the Commission take such action as may be necessary to accomplish surrender of the Certificate.

If you have any questions, please do not hesitate to contact me. Thank you.

Yours very truly,


Gregory T. Diamond
Regulatory Counsel, Southeast Region

⁶ The Commission originally issued the Certificate to Williams Local Network, Inc. ("Williams"). Williams was subsequently converted to an LLC and changed its name to WilTel Local Network, LLC.