

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the matter of the Application of )  
Looking Glass Networks, Inc. and )  
Level 3 Communications, LLC to )  
Transfer Customers and )  
Cancel Looking Glass Network's )  
Certificate of Service Authority and Tariff )

**File No. TO-2009-0251**

## ORDER CANCELING CERTIFICATES, CANCELING TARIFF AND CLOSING FILE

Issue Date: March 1, 2010

Effective Date: March 11, 2010

The Missouri Public Service Commission is canceling the certificates of service and tariff ("cancellation") of Looking Glass Networks, Inc., ("LGN") and closing this file.

On December 15, 2008, Level 3 Communications, LLC and LGN ("applicants") jointly filed a verified application ("application"). In the application, applicants asked for the cancellation and for approval of a transfer of customers ("transfer"). The transfer received approval by order dated February 19, 2009. That order reserved ruling on the cancellation until the Commission received notice that the approved transaction was complete. Applicants filed such notice on February 16, 2010,<sup>1</sup> signed by applicants' counsel, whom the Commission presumes has first-hand knowledge of applicants' transactions.

Any response to the filing was due no later than ten days after the filing date<sup>2</sup> and, as of the date of this order, the Commission has received no objection to the cancellation. No law provides a hearing on an unopposed cancellation, so the Commission convened

---

<sup>1</sup> The Commission received the document on February 12, 2010, which was a legal holiday. Section 9.010, RSMo 2000. The intervening days were a Saturday and a Sunday. Monday, February 15, 2010, was the third Monday in February, also a legal holiday. *Id.* February 16, 2010, was the next business day after the Commission received the document, and so constitutes the filing date. 4 CSR 240-2.045(2).

<sup>2</sup> 4 CSR 240-2.080(15).

none, and decides the cancellation on the undisputed representations of counsel.<sup>3</sup>  
Therefore, the Commission will approve the cancellation.

**THE COMMISSION ORDERS THAT:**

1. The certificate of service authority issued to Looking Glass Networks, Inc., in file no. TA-99-171 is cancelled.
2. The certificate of service authority issued to Looking Glass Networks, Inc. in file no. TA-2001-55 is cancelled.
3. The tariff of Looking Glass Networks, Inc., MO P.S.C. Tariff No. 1 is cancelled.
4. This order shall become effective ten days after issuance.
5. This file shall close one day after this order becomes effective.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Daniel Jordan, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 1<sup>st</sup> day of March 2010.

---

<sup>3</sup> *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Com'n*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).