

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the Certificate )  
of Service Authority of Davidson Telecom, LLC to )  
Provide Intrastate Interexchange and Nonswitched ) **File No. XD-2013-0264**  
Local Exchange Telecommunications Services in the )  
State of Missouri )

In the Matter of the Cancellation of the Certificate of )  
Service Authority of Davidson Telecom, LLC to )  
Provide Basic Local Telecommunications Services in ) **File No. CD-2013-0266**  
the State of Missouri )

## ORDER GRANTING LEAVE TO DISMISS MOTION

Issue Date: September 5, 2014

Effective Date: September 5, 2014

On November 8, 2012, the Commission's Staff filed motions in these cases seeking to cancel the interexchange and basic local certificates held by Davidson Telecom, LLC. Staff's motions were resolved by a stipulation and agreement that the Commission approved on March 13, 2013.

One provision in the approved stipulation and agreement required Staff to withdraw its motions to cancel certificates one year after Davidson fully complied with the requirements of the stipulation and agreement. On September 5, 2014, Staff filed a notice confirming that Davidson has complied. Staff indicated its intent to withdraw its motions and asked the Commission to close these files.

Commission rule 4 CSR 240-2.116(1) allows an initiating party to voluntarily dismiss its application or complaint, without leave of the Commission, "at any time before written testimony has been filed, or oral testimony has been offered". No written or oral testimony was submitted in this case, but the parties did submit a stipulation and

agreement for the Commission's approval. Functionally, that stipulation and agreement was the equivalent of testimony and means that Staff can dismiss its action only by leave of the Commission or by written consent of all the parties.

The Commission will grant leave for Staff to withdraw its motions and will close these files.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Staff is granted leave to withdraw its Motions to Cancel Certificates and Associated Tariffs.
2. This order shall become effective upon issuance.
3. These cases may be closed on September 5, 2014.

**BY THE COMMISSION**



A handwritten signature in blue ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Morris L. Woodruff, Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri  
on this 5<sup>th</sup> day of September, 2014.