

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

In the matter of the Cancellation of the Certificate )  
of Service Authority for Lightyear Network )  
Solutions, LLC to Provide Intrastate Interexchange ) **File No. XD-2014-0144**  
Telecommunications Services in the State of ) Tracking No. YX-2004-1115  
Missouri )

**MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY  
AND MOTION FOR EXPEDITED TREATMENT**

**COMES NOW**, the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), by and through the undersigned counsel, and moves for the Commission to cancel the certificate of service authority and associated tariff of Lightyear Network Solutions, LLC (“Lightyear” or “Company”). For its Motion, Staff respectfully states as follows:

1. On January 27, 2004, the Commission granted a certificate of service authority to Lightyear to provide intrastate interexchange telecommunications services in the state of Missouri in Case No. XA-2004-0253, with tariff tracking no. YX-2004-1115.
2. On November 14, 2013, the Commission received a letter from Lightyear reiterating to the Commission that Lightyear had transferred its assets and customers to Birch Telecom of Missouri Inc., dba Birch Missouri, and requesting that the Commission Cancel Lightyear’s certificate of service authority by December 31, 2013.
3. Because the Company requested cancellation of its Certificate and the Company is no longer providing service in Missouri, the Staff recommends the Commission cancel the certificate.

4. Further, Staff seeks expedited treatment of this cancellation so that the Company will not be required to file an annual report in 2014. Staff was delayed in the filing of this motion by the press of other business. Furthermore, Staff required time to ensure the Company is current on all required filings and assessments.

5. For the foregoing reasons, Staff requests that the Commission's order cancelling the certificate of service authority and associated tariff go into effect no later than December 31, 2013.

6. The Commission has the authority to cancel the telecommunications certificate pursuant to Section 392.410.5 RSMo 2012, 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. W.D. 1989).

**WHEREFORE**, Staff recommends the Commission cancel the certificate of service authority and associated tariff of Lightyear Network Solutions, LLC to provide intrastate interexchange telecommunications services in the state of Missouri. Staff also respectfully requests that this order take effect no later than December 31, 2013.

Respectfully submitted,

**/s/ Whitney Hampton**

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### **CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing was mailed, electronically mailed, or hand-delivered to all parties to this cause on this 17<sup>th</sup> day of December, 2013.

**/s/ Whitney Hampton**