

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public
Service Commission held
at its office in Jefferson
City on the 3rd day of
January, 2014.

In the Matter of the Cancellation of the)	
Certificate of Service Authority and)	<u>File No. XD-2014-0140</u>
Associated Tariff of Mobilitie, LLC to)	Tracking No. YX-2007-0554
Provide Non-Switched Local)	
Telecommunications Services)	
In the State of Missouri)	

ORDER APPROVING SETTLEMENT AGREEMENT

Issue Date: January 3, 2014

Effective Date: January 13, 2014

On March 26, 2007, Mobilitie, LLC ("Mobilitie") was granted a certificate of service authority by the Commission to provide interexchange and non-switched local telecommunications services, restricted to providing dedicated private line services, in the State of Missouri.

On November 14, 2013, the Staff of the Missouri Public Service Commission filed a motion requesting Mobilitie's, certificate of service authority and associated tariff be cancelled and that the Commission be notified when transfer of Mobilitie's customers to other providers is complete. In support of its motion, Staff stated Mobilitie failed to submit a 2012 Annual Report by the April 15, 2013 deadline.

The Commission issued notice of Staff's motion and directed any objections or requests for a hearing be filed no later than December 16, 2013. On December 5, 2013, Mobilitie filed its 2012 Annual Report.

On December 12, 2013, Mobilitie and Staff filed a Stipulation and Settlement Agreement. Under the terms of the agreement, Mobilitie agrees to pay one thousand dollars to the Missouri Public School Fund and to file its Annual Reports in a timely manner in the future. In return, Staff agrees to withdraw its motion.

Commission Rule 4 CSR 240-2.115(1)(B) allows for the Commission to resolve all or any part of a contested case on the basis of a stipulation and agreement. Although not a signatory to the Stipulation and Settlement Agreement, the Office of the Public Counsel is considered a party to the action, pursuant to Commission Rule 4 CSR 240-2-010(10). Since more than seven days have passed since the filing of the Stipulation and Settlement Agreement and no party has filed an objection, the Commission will consider the agreement between Mobilitie and Staff to be a unanimous stipulation and agreement.¹

Since this matter is resolved by stipulation and agreement, the Commission need not make findings of facts or conclusions of law.² Nevertheless, after review of the Settlement and Stipulation and Agreement, the Commission concludes that the agreement is reasonable and consistent with the public interest.

The Commission will approve the agreement, which is attached to this order.

THE COMMISSION ORDERS THAT:

1. The unanimous Stipulation and Settlement Agreement entered into between the Staff of the Commission and Mobilitie, LLC is approved and hereby incorporated into this order.

2. The parties shall abide by the terms of the Stipulation and Settlement Agreement.

¹ 4 CSR 240-2.115(B) and (C).

² Section 536.090 RSMo (2000).

3. This order shall become effective on January 13, 2014.

BY THE COMMISSION



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

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
and Hall, CC., concur.

Burton, Regulatory Law Judge