

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the	)	
Certificate of Service Authority of	)	
Airnex Communications, Inc. to Provide	)	<b><u>File No. XD-2013-0022</u></b>
Intrastate Interexchange Telecommunications	)	Tarriff No. JX-2003-0081
Services within the State of Missouri	)	

## ORDER RESCINDING ORDER CANCELING CERTIFICATE AND NOTICE CLOSING CASE

Issue Date: September 26, 2012

Effective Date: September 28, 2012

On July 18, 2012, the Staff of the Missouri Public Service Commission filed a motion requesting Airnex Communications, Inc.'s certificate of service authority to provide intrastate interexchange telecommunication services in the State of Missouri be cancelled.

On July 18, 2012, the Commission issued an Order Directing Notice allowing any parties to file an objection or request a hearing to do so no later than July 30, 2012. No objections or requests for a hearing were filed. On August 1, 2012, the Commission issued its Order Canceling Certificate and Accompanying Tariff, effective August 11, 2012.

On August 10, 2012, Staff filed a motion to extend the effective date of the Commission's August 1, 2012 Order. Airnex contacted Staff and indicated the company wished to maintain its certification and had filed annual reports to correct the deficiencies alleged in Staff's July 18 motion. The Commission granted Staff's

motion and the effective date of the Commission's Order Cancelling Certificate and Accompanying Tarff was extended to August 21, 2012.

On August 20, 2012, Airnex filed an Application for Rehearing, Reconsideration and Further Extension of Effective Date of Order Canceling Certificate and Accompanying Tariff. Airnex requested the Commission extend the effective date for 30 days to allow Staff time to confirm that Airnex addressed and resolved all issues without disrupting service to the company's Missouri customers. On August 20, 2012, the Commission extended the effective date of the Order canceling certificate to October 4, 2012. The Commission also directed Staff to file a report by September 28 stating whether Airnex has complied with Commission regulations and also to provide the Commission a recommendation on rescinding the August 1, 2012 Order canceling Airnex's certificate and tariff.

On September 25, 2012, Staff filed its Staff Recommendation to Rescind Order. Staff stated the company is in full compliance with the Commission's annual filing requirements and recommended the Commission rescind the Order.

Based on the pleadings from the Company and Staff, the Commission has reconsidered its Order. The Commission will rescind its Order Canceling Certificate and Accompanying Tariff, issued August 1, 2012. Nothing remains for decision by the Commission. The certificate and tariff of Airnex Communications, Inc. shall remain effective and this case shall be closed.

**IT IS ORDERED THAT:**

1. The Order Canceling Certificate and Accompanying Tariff, issued August 1, 2012, is rescinded.

2. This order shall become effective on September 28, 2012.
3. This case may be closed on September 29, 2012.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'S. C. Reed', is positioned above the printed name and title.

Steven C. Reed  
Secretary

(SEAL)

Harold Stearley, Deputy Chief Regulatory Law  
Judge, by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri  
on this 26th day of September, 2012.