

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Se-Ma-No)
Technologies, LLC, to Withdraw and Have)
Canceled All Certificates of Service Authority) Case No. XD-2005-0440, et al.

ORDER CANCELING CERTIFICATES AND TARIFFS

Issue Date: November 1, 2005

Effective Date: November 11, 2005

Eight companies that hold certificates of service authority to provide telecommunications services in Missouri, each a subsidiary of a rural electric cooperative, have filed applications to withdraw and cancel their certificates of service authority and related tariffs. The Commission opened separate cases to consider each application. Subsequently, all eight cases were consolidated into this case for consideration.¹

Each of the affected companies is a subsidiary of a rural electric cooperative. Each rural electric cooperative is in turn a member and owner of Sho-Me Power Electric Cooperative. Before 1997, Sho-Me Power used microwave radio equipment to communicate between its substations, power suppliers, and distribution cooperatives. In 1997, Sho-Me Power had to surrender its microwave bandwidth at the behest of the

¹ The companies that have asked to surrender their certificates and their assigned case numbers are as follows: Laclede Technologies, LLC - XD-2005-0439; Se-Ma-No Technologies, LLC - XD-2005-0440; Webster Technologies, LLC - XD-2005-0442; Crawford Technologies, LLC - XD-2005-0443; Howell-Oregon Technologies, LLC - XD-2005-0444; Gascosage Technologies, LLC - XD-2005-0475; White River Technologies, LLC - XD-2005-0476; and Southwest Fiber Communications, LLC - XD-2005-0477.

Federal Communications Commission. To replace its microwave communications capacity, Sho-Me Power, and its member cooperatives, turned to fiber to meet their communications needs.

Sho-Me Power, and its member cooperatives, created subsidiary companies to build and operate the needed fiber communications systems. The subsidiary companies also made excess fiber capacity available to other telecommunications users. To permit the sale of that excess capacity, Sho-Me Technologies, LLC, the subsidiary of Sho-Me Power, as well as the subsidiaries of each of the member cooperatives, obtained certificates from the Commission to offer non-switched local and interexchange telecommunications services.

As the business plan for the marketing of fiber capacity has developed, Sho-Me Technologies is the carrier that provides services to all end users served by the fiber system. The subsidiaries of the member cooperatives merely lease their facilities to Sho-Me Technologies and have no other dealings with end-use customers.

The subsidiaries of the member cooperatives now contend that their certificates of service authority are no longer needed and ask that those certificates be canceled. Sho-Me Technologies, the company that is actually providing services to end-use customers, intends to keep its certificate of service authority.

Staff initially filed a recommendation indicating its opposition to the cancellation of the certificates of service authority of the subsidiaries. However, after further investigation, and after the applicants filed the affidavit of John Richards, Chief Financial Officer of Sho-Me Technologies, which explains the means by which the applicants do business, Staff filed a new recommendation. Staff now agrees that the applicants are

not offering telecommunications services to the public and do not need certificates from the Commission. Staff recommends that the Commission grant the applications and cancel the applicants' certificates and accompanying tariffs.

Based on the applications and the recommendation of its Staff, the Commission finds that the applicants' certificates of service authority to provide non-switched local and interexchange telecommunications services, and their accompanying tariffs, should be canceled.

IT IS THEREFORE ORDERED:

1. That the certificate of service authority to provide non-switched local and interexchange telecommunications services granted to Laclede Technologies, LLC, is canceled.

2. That Laclede Technologies, LLC's tariff – MO P.S.C. No. 1 – is canceled.

3. That the certificate of service authority to provide non-switched local and interexchange telecommunications services granted to Se-Ma-No Technologies, LLC, is canceled.

4. That Se-Ma-No Technologies, LLC's tariff – MO P.S.C. No. 1 – is canceled.

5. That the certificate of service authority to provide non-switched local and interexchange telecommunications services granted to Webster Technologies, LLC, is canceled.

6. That Webster Technologies, LLC's tariff – MO P.S.C. No. 1 – is canceled.

7. That the certificate of service authority to provide non-switched local and interexchange telecommunications services granted to Crawford Technologies, LLC, is canceled.

8. That Crawford Technologies, LLC's tariff – MO P.S.C. No. 1 – is canceled.
9. That the certificate of service authority to provide non-switched local and interexchange telecommunications services granted to Howell-Oregon Technologies, LLC, is canceled.
10. That Howell-Oregon Technologies, LLC's tariff – MO P.S.C. No. 1 – is canceled.
11. That the certificate of service authority to provide non-switched local and interexchange telecommunications services granted to Gascosage Technologies, LLC, is canceled.
12. That Gascosage Technologies, LLC's tariff – MO P.S.C. No. 1 – is canceled.
13. That the certificate of service authority to provide non-switched local and interexchange telecommunications services granted to White River Technologies, LLC, is canceled.
14. That White River Technologies, LLC's tariff – MO P.S.C. No. 1 – is canceled.
15. That the certificate of service authority to provide non-switched local and interexchange telecommunications services granted to Southwest Fiber Communications, LLC, is canceled.
16. That Southwest Fiber Communications, LLC's tariff – MO P.S.C. No. 1 – is canceled.
17. That this order shall become effective on November 11, 2005.

18. That this case may be closed on November 12, 2005.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 1st day of November, 2005.