

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of AboveNet)	
Communications, Inc. for Approval to Cancel)	<u>File No. TD-2013-0276</u>
its Certificate Of Service Authority and)	Tracking No. YX-2004-0926
Withdrawal of Tariff(s))	

ORDER CANCELING CERTIFICATE AND ACCOMPANYING TARIFF

Issue Date: November 30, 2012

Effective Date: December 10, 2012

On November 15, 2012, AboveNet Communications, Inc. ("AboveNet") filed an application requesting its certificate of service authority and accompanying tariff to provide non-switched local exchange and interexchange telecommunication services in the State of Missouri be cancelled.

In File Number TA-2000-335, the Commission granted AboveNet a certificate of service authority to provide non-switched local exchange and interexchange telecommunication service in the State of Missouri. The Company's tariff, P.S.C. Mo No. 1, was also approved.

In its application, AboveNet stated the Company was no longer providing service in Missouri and requested the Commission cancel its certificate of service authority and accompanying tariff.

On November 16, 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 November 28, 2012. No objections or requests for a hearing were filed.

On November 28, 2012, the Staff of the Commission filed its recommendation. Staff stated that AboveNet is not deficient in the filing of the Company's annual reports, remittance of Commission assessments or remittance of any Missouri Universal Service Fund or Relay Missouri funds. Staff recommends that the Commission cancel the company's certificate of service authority to provide intrastate interexchange telecommunications services and basic local exchange telecommunications services limited to providing dedicated, nonswitched local exchange private line services, and the company's accompanying tariff.

The Commission has the authority to cancel a certificate and tariff pursuant to Section 392.410.5, RSMo, which states, in part, "[a]ny certificate or 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."

Based on the Company's application and Staff's recommendation, the Commission finds that the certificate of service authority and accompanying tariff granted to AboveNet Communications, Inc., shall be canceled.

IT IS ORDERED THAT:

1. The certificate of authority to provide intrastate interexchange telecommunications services and basic local exchange telecommunications services granted to AboveNet Communications, Inc., in File Number TA-2000-335, is canceled.
2. AboveNet Communications, Inc.'s tariff, P.S.C. Mo No. 1, is canceled.
3. This order shall become effective on December 10, 2012.

4. This case may be closed on December 11, 2012.

BY THE COMMISSION

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

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 30th day of November, 2012.