

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the)
Certificate of Service Authority of)
KMC Telecom III, LLC.) Case No. TD-2006-0078

ORDER CANCELING CERTIFICATES AND TARIFFS

Issue Date: August 23, 2005

Effective Date: September 2, 2005

This order cancels the certificates of service authority to provide basic local exchange and interexchange telecommunications services granted to KMC Telecom III, LLC, along with its accompanying tariffs.

On August 11, 2005, the Staff of the Commission filed a motion to open a case and to cancel KMC Telecom III’s certificates of service authority and accompanying tariffs. Staff’s motion indicates that KMC Telecom III has contacted Staff and has requested that it be allowed to relinquish its certificates in Missouri. The company told Staff that it has no employees, assets, customers, or revenue in Missouri. Staff confirms that the company owes no assessments or annual reports.

The motion states that the Commission granted KMC Telecom III a certificate of service authority to provide interexchange telecommunications services in July 1999, in Case No. TA-99-576. The company’s interexchange tariff, Missouri P.S.C. Tariff No. 1, was approved in the same order. The Commission granted KMC Telecom III a certificate of service authority to provide basic local exchange telecommunications services in August

1999, in Case No. TA-99-577. The company's basic local tariff, Missouri P.S.C. Tariff No. 2, was subsequently approved in Case No. TT-2000-310.

Staff served copies of its motion on KMC Telecom III, but the company has not filed a response.

The Commission has the authority to cancel a telecommunications corporation's certificate under Section 392.410.5, which states, "Any 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." Since no one has requested a hearing, the Commission may grant the relief requested based on Staff's motion.

Based on Staff's uncontested motion, the Commission finds that KMC Telecom III's certificates and accompanying tariffs should be canceled.

IT IS THEREFORE ORDERED:

1. That the certificate of service authority to provide interexchange telecommunications services granted to KMC Telecom III, LLC, in Case No. TA-99-576, is canceled.
2. That KMC Telecom III, LLC's interexchange tariff, Missouri P.S.C. Tariff No. 1, is canceled.
3. That the certificate of service authority to provide basic local exchange telecommunications services granted to KMC Telecom III, LLC, in Case No. TA-99-577, is canceled.
4. That KMC Telecom II, LLC's basic local tariff, Missouri P.S.C. Tariff No. 2, is canceled.
5. That this order shall become effective on September 2, 2005.

6. That this case may be closed on September 3, 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 23rd day of August, 2005.