

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service)
Commission,)
)
Complainant,)
)
v.)
)
American Broadband and)
Telecommunications Company d/b/a)
American Assistance)

File No. LC-2020-0277

ORDER DISMISSING COMPLAINT

Issue Date: October 6, 2020

Effective Date: November 5, 2020

On March 9, 2020, the Commission's Staff filed a complaint against American Broadband and Telecommunications Company d/b/a American Assistance (American Assistance), alleging that American Assistance has failed to comply with Lifeline requirements and eligible telecommunications carrier (ETC) reporting requirements. Staff asked the Commission to revoke American Assistance's eligible telecommunications carrier status.

American Assistance filed its *Answer and Affirmative Defense* on April 9, 2020. That pleading denied Staff's allegations, but indicated American Assistance's desire to terminate its ETC designation in Missouri. American Assistance's ETC designation in Missouri was subsequently terminated in file number TA-2020-0343, effective as of July 2, 2020.

Because no filing had been made in the complaint case since American Assistance filed notice of the relinquishment of its ETC designation on May 1, 2020, and with American Assistance's ETC designation in Missouri having been

terminated, the Commission directed Staff to either dismiss its complaint or submit a pleading setting forth any additional relief it seeks. Staff responded on September 1, 2020 by filing a motion asking the Commission to close this file, explaining that since American Assistance has relinquished its eligible telecommunications status, Staff is not seeking any further relief. Staff does not, however, explicitly dismiss its complaint.

Commission Rule 20 CSR 4240-2.116(1) provides that a complainant may voluntarily dismiss their complaint at any time before written testimony or oral evidence has been offered. In addition, subsection (2) of that rule provides that the Commission may dismiss a case for lack of prosecution if no action has occurred for ninety days and no party has requested a continuance beyond that time.

The Commission finds that Staff has effectively dismissed its complaint and further that this complaint may be dismissed for lack of prosecutions.

THE COMMISSION ORDERS THAT:

1. Staff's complaint against American Broadband and Telecommunications Company d/b/a American Assistance is dismissed.
2. This order shall be effective on November 5, 2020
3. This file shall close on November 6, 2020.



BY THE COMMISSION

A handwritten signature in dark ink, reading "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Morris L. Woodruff, Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri
on this 6th day of October, 2020.

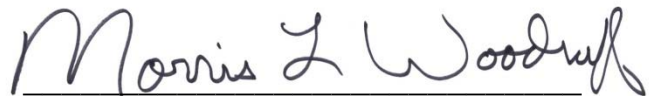
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

**WITNESS my hand and seal of the Public Service Commission,
at Jefferson City, Missouri, this 6th day of October, 2020.**




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

October 6, 2020

File/Case No. LC-2020-0277

**Missouri Public Service
Commission**

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**Missouri Public Service
Commission**

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.