

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Ionex Communications,	)	<b><u>File No. CD-2021-0235</u></b>
Inc. d/b/a Birch Communication's Request	)	<b><u>File No. XD-2021-0236</u></b>
for Cancellation of Certificates of Service	)	Tariff Nos. JC-2008-0582,
Authority	)	JX-2008-0583, & JX-2008-0584

## ORDER CANCELLING CERTIFICATES OF INTEREXCHANGE SERVICE AUTHORITY AND APPLICABLE TARIFF

Issue Date: February 26, 2021

Effective Date: March 8, 2021

On January 22, 2021, Ionex Communications, Inc., d/b/a Birch Communications ("Ionex") filed a Request for Cancellation of Certificate of Service Authority (Request) effective December 31, 2020. Ionex provides resold and facilities-based local telecommunications services and intrastate interexchange telecommunications service under the name of Ionex. Ionex requested cancellation of its certificates of service authority and any tariffs on file. On February 4, 2021, the Commission's Staff filed its recommendation on the Request.

The Staff's recommendation states that Ionex's Request complies with the requirements of Commission rule 20 CSR 4240-28.011(3), Ionex no longer has any customers, and Ionex has ceased operations in Missouri. Staff recommended the Commission issue an order cancelling the certificates of service authority and associated tariffs.

The Commission need not hold a hearing if none is requested after due notice and opportunity to intervene.<sup>1</sup> No one has requested a hearing. The Commission has

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<sup>1</sup>*State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

the authority to cancel a certificate of service authority pursuant to Section 392.410.5, RSMo 2016. The Commission will grant Ionex's Request.

Commission orders take effect in thirty days unless otherwise ordered by the Commission.<sup>2</sup> This order will be made effective in ten days to promptly implement the cancellation request.

**THE COMMISSION ORDERS THAT:**

1. The certificates of service authority and the applicable tariffs, JC-2008-0582 (PSC MO No. 3 – CLEC); JX-2008-0584 (PSC MO No. 2 – IXC); and JX-2008-0583 (PSC MO No. 4 - IXC) of Ionex Communications, Inc., d/b/a Birch Communications are cancelled.
2. This order shall be effective on March 8, 2021.
3. This file shall be closed on March 9, 2021.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Paul T. Graham, Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri  
on this 26<sup>th</sup> day of February, 2021.

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<sup>2</sup> Section 386.490.2, RSMo 2016.

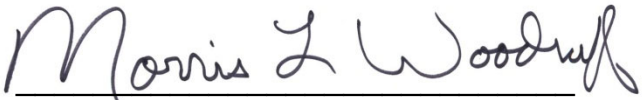
**STATE OF MISSOURI**

**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 26<sup>th</sup> day of February, 2021.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**February 26, 2021**

**File/Case No. CD-2021-0235 and XD-2021-0236**

**Missouri Public Service  
Commission**

Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel**

Marc Poston  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opc@psc.mo.gov

**Birch Communications (Ionex)**

Legal Department  
400 E. Las Colinas Blvd.  
Irving, TX 75039  
info@birch.com

**Birch Communications (Ionex)**

Legal Department  
400 E. Las Colinas Blvd.  
Irving, TX 75039  
info@birch.com

**Missouri Public Service  
Commission**

Travis Pringle  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
Travis.Pringle@psc.mo.gov

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

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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