

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Jeffrey L.) Application No. 911-020/DC-73
Pursley, Director of the)
Nebraska Telephone)
Infrastructure and Public Safety)
Department of the Nebraska)
Public Service Commission,)
)
Complainant,)
v.) ORDER CONTINUING HEARING
)
)
Budget Phone, Inc. d/b/a Budget)
PrePay; BullsEye Telecom, Inc.;)
Excel; Ionex Communications)
North, Inc. a/k/a Birch Telecom,)
Inc.; MCImetro Access)
Transmission Services, LLC; NOS)
Communications, Inc.; Orbit.com;)
Vartec,)
Respondents(s).) Entered: August 7, 2006

BY THE HEARING OFFICER:

On June 27, 2006, Jeff Pursley, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department (Complainant) filed a complaint against the above-captioned Respondents alleging violation of Neb. Rev. Stat. § 86-437 (Cum. Supp. 2004). On June 27, 2006, the Commission entered an Order to Show Cause, setting the matter for hearing on August 15, 2006 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

On July 31, 2006, MCImetro Access Transmission Services, LLC (MCImetro) filed a Motion to Continue (Motion) the hearing on the matter, due to the fact that counsel for Respondent will be unavailable to appear on the scheduled date. MCImetro requests that the hearing be rescheduled for September 19 or 28, 2006.

I find that the Motion should be granted and, the hearing with respect to MCImetro should be continued to **September 19, 2006 at 1:30 p.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska. With respect to the remaining Respondents, the hearing should proceed as scheduled on August 15, 2006.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the Motion should be granted and the hearing with respect to MCImetro should be continued to **September 19, 2006 at 1:30 p.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

IT IS FURTHER ORDERED with respect to the remaining Respondents, that the hearing should proceed as scheduled on **August 15, 2006.**

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of August, 2006.

BY THE HEARING OFFICER
