

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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 AND
)	SCHEDULING ORAL ARGUMENT
)	
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,)	Entered: September 19, 2006
Respondents(s).)	

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 August 7, 2006, the hearing was continued by hearing officer order with respect to MCImetro Access Transmission Services, LLC to September 19, 2006.

MCImetro and Commission staff have agreed to stipulate to the facts of the matter and proceed to oral argument on the legal issues involved. In order to allow sufficient time for the parties to agree to a stipulation, staff has requested that the hearing be continued until **10:00 a.m. on October 4, 2006** in the Commission Hearing Room.

I find that the request should be granted and, the oral argument with respect to MCImetro should be scheduled for **10:00 a.m. on October 4, 2006** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

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O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the request should be granted and the oral argument with respect to MCImetro should be scheduled for **October 4, 2006 at 10:00 a.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 19th day of September, 2006.

BY THE HEARING OFFICER

A handwritten signature in blue ink, appearing to read "Gerald J. [unclear]", is written over a horizontal line.