

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Petition of) Docket No. FC-1321
McLeodUSA Telecommunications)
Services, Inc. ,Cedar Rapids,) COMPLAINT DISMISSED
Iowa, for enforcement of an)
interconnection agreement with)
Qwest Corporation, Denver,)
Colorado.) Entered: May 11, 2005

BY THE COMMISSION:

By Formal Complaint filed on March 30, 2005, McLeodUSA Telecommunications Services, Inc., (McLeod or Complainant) alleged that Qwest Corporation (Qwest or Defendant) may not demand a security deposit and that Qwest may not "suspend order activity" or "disconnect" services until all procedures for dispute resolution in the interconnection agreement have been satisfied. McLeod asked this commission to provide McLeod its requested relief, and to provide injunctive relief to protect McLeod's customers on an expedited, emergency basis.

By motion filed on May 4, 2005, Complainant requests that it be granted leave to withdraw its Complaint without prejudice pursuant to Title 291 NAC Ch. 1, §008. McLeodUSA informed the Commission that the parties have reached a commercial agreement that at present appears to address the issues raised in its Formal Complaint.

O P I N I O N A N D F I N D I N G S

Upon consideration of McLeod's request, the Commission finds the Complaint should be dismissed without prejudice. In light of McLeod's request, action by the Commission on the Motion to Dismiss filed by the Defendant is no longer required.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned Formal Complaint is dismissed without prejudice.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of
May, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director