

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Formal ) Application Nos. FC-1332  
Complaint of Orbitcom, Inc., )  
Sioux Falls, South Dakota, )  
seeking a determination that AT&T )  
Communications of the Midwest, )  
Inc., Denver, Colorado, failed to ) ORDER GRANTING REQUEST FOR  
pay intrastate access charges ) EXTENSION  
billed by Orbitcom in accordance )  
with Orbitcom's intrastate )  
switched access tariff. )  
)  
) Entered: March 17, 2009

BY THE HEARING OFFICER:

On February 27, 2009, a Formal Complaint was filed with the Nebraska Public Service Commission ("Commission") by Orbitcom, Inc., ("Orbitcom") Sioux Falls, South Dakota, seeking a determination that AT&T Communications of the Midwest, Inc., ("AT&T") Denver, Colorado, failed to pay intrastate access charges billed by Orbitcom in accordance with Orbitcom's intrastate switched access tariff.

Commission Rules of Procedure set a deadline for the respondent to file an Answer to a Formal Complaint of fifteen (15) days after mailing of the Formal Complaint by the Commission. Accordingly, the deadline was established as March 19, 2009.

On March 13, 2009, AT&T filed a motion for a thirty (30) day extension of time to answer the complaint. AT&T stated in its motion that counsel for Orbitcom was not willing to consent to the requested extension.

I find that an extension of time for AT&T to file an Answer should be granted. Therefore, I find that AT&T has until **March 31, 2009**, to file an Answer in the above-captioned proceeding.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the motion by AT&T Communications of the Midwest, Inc. for an extension of the deadline to file an Answer be, and is hereby, granted and the deadline for filing an Answer is extended to **Tuesday, March 31, 2009**.

MADE AND ENTERED at Lincoln, Nebraska this 17th day of March, 2009.

BY:



Tim Schram  
HEARING OFFICER