

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Formal) Application No. FC-1332
Complaint of Orbitcom, Inc.,)
Sioux Falls, South Dakota,)
seeking a determination that)
AT&T Communications of the) ORDER SCHEDULING ORAL
Midwest, Inc., Denver, Colorado,) ARGUMENTS
failed to pay intrastate access)
charges billed by Orbitcom in)
accordance with Orbitcom's)
intrastate switched access)
tariff.)
In the Matter of the Formal) Application No. FC-1335
Complaint of AT&T Communications)
of the Midwest, Inc., Denver,)
Colorado, seeking a)
determination that OrbitCom,)
Inc., Sioux Falls, South Dakota,)
failed to negotiate Intrastate)
Access Charges and that)
OrbitCom's tariffed Intrastate)
Switched Access Rates are unfair)
and unreasonable.) Entered: August 10, 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") against AT&T Communications of the Midwest, Inc. ("AT&T") and was docketed as Application No. FC-1332. On April 30, 2009, AT&T filed a Formal Complaint against OrbitCom with the Commission, which was docketed as Application No. FC-1335. On May 12, 2009, the Commission granted AT&T's Motion to Consolidate the above-captioned proceedings pursuant to Commission Rules of Procedure.

On August 5, 2009, both Orbitcom and AT&T filed Motions to Compel responses to discovery requests in the above-captioned docket. Both parties also requested a hearing on both motions.

The Hearing Officer finds that oral arguments on the Motions to Compel shall be scheduled for **Monday, August 17, 2009, at 1:30 p.m.** in the Commission Hearing Room at 300 The Atrium, 1200 N Street, Lincoln, Nebraska. Parties wishing to argue shall be prepared to provide information as to how the discovery requests at issue are or are not reasonably calculated to lead to the discovery of admissible evidence within the scope of the above-captioned docket.

Application Nos. FC-1332 & FC-1335

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O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that oral arguments on Orbitcom, Inc. and AT&T Communications of the Midwest, Inc.'s Motions to Compel shall be scheduled for **Monday, August 17, 2009, at 1:30 p.m.** in the Commission Hearing Room at 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

MADE AND ENTERED in Lincoln, Nebraska, on this 10th day of August, 2009.

BY:



Tim Schram
HEARING OFFICER