

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the complaint, application,)
and request for emergency relief of **CLEAR RATE**)
COMMUNICATIONS, INC., against **LOCAL**) Case No. U-15424
EXCHANGE CARRIERS OF MICHIGAN, INC.,)
and **INTERNET 123, INC.**)
_____)

At the November 8, 2007 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman
Hon. Monica Martinez, Commissioner
Hon. Steven A. Transeth, Commissioner

ORDER

On September 17, 2007, Clear Rate Communications, Inc., filed a complaint against Local Exchange Carriers of Michigan, Inc., and Internet 123, Inc., alleging unlawful, discriminatory and retaliatory treatment. On October 22, 2007, the complainant filed a request to withdraw the complaint with prejudice.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1991 PA 179, MCL 484.2101 *et seq.*; 1969 PA 306, MCL 24.201 *et seq.*; and the Commission's Rules of Practice and Procedure, 1999 AC, R 460.17101 *et seq.*

b. The complaint should be dismissed with prejudice.

THEREFORE, IT IS ORDERED that the complaint of Clear Rate Communications, Inc., against Local Exchange Carriers of Michigan, Inc., and Internet 123, Inc., is dismissed with prejudice.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ Orjiakor N. Isiogu
Chairman

(S E A L)

/s/ Monica Martinez
Commissioner

/s/ Steven A. Transeth
Commissioner

By its action of November 8, 2007.

/s/ Mary Jo Kunkle
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

Chairman

Commissioner

Commissioner

By its action of November 8, 2007.

Its Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

Case No. U-15424

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County of Ingham)

E. David Lechler being duly sworn, deposes and says that on November 8th, 2007, A.D. he served a copy of the attached Commission order by first class mail, postage prepaid, or by inter-departmental mail, to the persons as shown on the attached service list.

E. David Lechler

Subscribed and sworn to before me
this 8th day of November 2007

Sharron A. Allen
Notary Public, Ingham County, MI
My Commission Expires August 16, 2011

SERVICE LIST FOR DOCKET # U - 15424- CASE #
DATE OF PREPARATION: 11/08/2007

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