

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

COMPLAINT OF CONNECT HOLDINGS CORP.)
PURSUANT TO 170 IAC 7-6-1, ET SEQ. FOR)
DISCONNECTION OF TELECOMMUNICATION)
SERVICE BY A LEC ARISING FROM BILLING)
DISPUTE AND, PURSUANT TO 170 IAC 7-7-1,)
ET SEQ. FOR EXPEDITED REVIEW OF)
DISCONNECTION OF SERVICES AND BILLING)
DISPUTE WITH US XCHANGE OF INDIANA,)
LLC D/B/A ONE COMMUNICATIONS AND ONE)
COMMUNICATIONS CORP.)

CAUSE NO. 43896

APPROVED: NOV 18 2010

RESPONDENT: US XCHANGE OF INDIANA,)
L.L.C. D/B/A ONE COMMUNICATIONS AND)
ONE COMMUNICATIONS CORP.)

BY THE COMMISSION:

Larry S. Landis, Commissioner
David E. Veleta, Administrative Law Judge

On May 5, 2010, Connect Holdings Corp. d/b/a Connect Communications ("Connect Holdings") filed its Verified Complaint against US Xchange of Indiana, L.L.C. d/b/a One Communications and One Communications Corp. (collectively "One Communications") pursuant to 170 IAC 7-6-1 et seq., the Commission's rules governing, in part, "Disconnection of a Local Exchange Carrier by Another Local Exchange Carrier," and 170 IAC 7-7-1 et seq., the Commission's Expedited Procedure for Resolving Interconnection Disputes between Telecommunications Carriers.

On May 19, 2010, One Communications filed its Answer to the Complaint. On May 26, 2010, the Presiding Administrative Law Judge issued a docket entry ordering One Communications to not disconnect Connect Holdings until the Presiding Officers made a determination as to whether or not this Cause was properly filed pursuant to 170 IAC 7-7-1 et seq. On July 9, 2010, Connect Holdings filed its Motion to Dismiss.

On July 15, 2010, One Communications filed its response to Connect Holdings Motion to Dismiss. On August 17, 2010, the Presiding Administrative Law Judge issued a docket entry requesting that Connect Holdings provide the number of customers it was serving. On August 20, 2010, Connect Holdings filed its response to the August 17, 2010 docket entry.

On August 24, 2010, the Presiding Officers found the August 17, 2010 filing not fully responsive and issued a docket entry requesting that Connect Holdings provide additional

information regarding the customers it was serving. On September 9, 2010, Connect Holdings filed its response to the August 24, 2010 docket entry.

On October 15, 2010, the Presiding Officers issued a docket entry yet again requesting that Connect Holdings provide information regarding any remaining customers which it was serving. On October 18, 2010, Connect Holdings filed its response to the October 15, 2010 docket entry.

The Presiding Officers note that pursuant to 170 IAC 7-6-3(f), “a LEC shall not be disconnected without adequate notice to its customers, either pursuant to the time frames in this rule or as otherwise determined by the commission.” Given that Connect Holdings no longer has any customers, there is no longer an issue regarding the notification of customers. Therefore, the Presiding Administrative Law Judge’s May 26, 2010 docket entry barring One Communications from disconnecting Connect Holdings is hereby vacated. Connect Holdings July 9, 2010 Motion to Dismiss its Complaint in this Cause is granted and this Cause is dismissed.

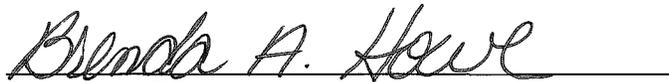
IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. Cause No. 43896, initiated by Connect Holdings’ Complaint filed on May 5, 2010, is hereby dismissed.
2. The Presiding Administrative Law Judge’s May 26, 2010 docket entry barring One Communications from disconnecting Connect Holdings is hereby vacated.
3. This Order shall be effective on and after the date of its approval.

ATTERHOLT, LANDIS AND ZIEGNER CONCUR; MAYS ABSENT:

APPROVED: NOV 18 2010

I hereby certify that the above is a true and correct copy of the Order as approved.



Brenda A. Howe
Secretary to the Commission