



Oregon

Kate Brown, Governor

Public Utility Commission

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June 16, 2017

(Courtesy Email To: todd@nccom.com)

Todd Lesser, President
North County Communications Corporation of Arizona
3802 Rosecrans, Suite 485
San Diego, CA 92110

RE: Docket No. IC 16
NORTH COUNTY COMMUNICATIONS CORPORATION OF OREGON,
Complainant,

v.

QWEST CORPORATION D/B/A CENTURYLINK QC,
Defendant.

Dear Mr. Lesser,

In response to my notice and ruling of February 9, 2017, North County's former counsel, Dale Dixon, Jr., filed a status report and proposed procedural schedule indicating the complainant's intention to file a motion for summary judgment on June 2, 2017.

On March 29, 2017, Mr. Dixon, with your approval, withdrew as counsel of record in this case. No mention of the proposed procedural schedule was made in the motion to withdraw, and no pleadings have been filed with the Commission in accordance with the proposed procedural schedule.

In light of the foregoing circumstances, the Commission is not currently able to address the issues previously raised by North County. If the complainant intends to prosecute its claims, now that Mr. Dixon is no longer counsel, it is necessary to notify the Commission of its intention to do so. Consequently, I have attached the accompanying Notice and Ruling which is self-explanatory.

Sincerely,

PUBLIC UTILITY COMMISSION OF OREGON

Allan J. Arlow
Administrative Law Judge

cc: Tre Hendricks, Esq., tre.hendricks@centurylink.com
Jeffrey Nodland, jeff.nodland@centurylink.com



**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

IC 16

NORTH COUNTY COMMUNICATIONS
CORPORATION OF OREGON,
Complainant,
vs.
QWEST CORPORATION d/b/a
CENTURYLINK QC,
Respondent.

NOTICE AND RULING

**DISPOSITION: COMPLAINANT TO STATE INTENTION TO PURSUE
CLAIMS OR HAVE COMPLAINT DISMISSED**

In response to my notice and ruling of February 9, 2017, North County filed a status report and proposed procedural schedule on February 28, 2017, indicating the complainant's intention to file a motion for summary judgment on June 2, 2017.


On March 29, 2017, Dale Dixon, Jr. withdrew as counsel of record in this case. No mention of the proposed procedural schedule was made in the motion to withdraw, and no pleadings have been filed with the Commission in accordance with the proposed procedural schedule.

The Commission therefore concludes that the complainant should be given one final opportunity to set forth its intentions with particularity in order to avoid dismissal of its complaint for failure to prosecute.

RULING

The complainant shall notify the Commission of its intention to prosecute its claims and propose a procedural schedule no later than June 30, 2017. If complainant fails to comply with this ruling, the complaint of North County Communications Corporation of Oregon against Qwest Corporation d/b/a CenturyLink QC shall be subject to dismissal with prejudice.

Dated this 16th day of June, 2017, at Salem, Oregon.


Allan J. Arlow
Administrative Law Judge