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BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UC 595

INSURANCE CENTERS NORTHWEST,)
INC.,)
)
Complainant,)
)
vs.)
)
QWEST CORPORATION,)
)
Defendant.)

ORDER

DISPOSITION: COMPLAINT DISMISSED

On October 1, 2001, Qwest filed a motion to dismiss the complaint based on complainant's failure to prosecute the matter. Complainant filed no response.

The motion notes that the parties had agreed at the prehearing conference on August 20, 2001, that complainant would file a detailed description of the amounts in question in the dispute and the basis for the complaint. The motion further recites that after Qwest provided documents requested by complainant, complainant failed to file the description agreed upon. Qwest thus asks for dismissal.

The Commission will grant the motion for dismissal. Complainant had an obligation to meet the terms of the agreement made at the prehearing conference, which were designed to clarify the issues so that the matter could be resolved, either through agreement by the parties or through an evidentiary hearing. His failure to do so interferes with the orderly disposition of this matter. We also note that complainant failed to respond to the motion to dismiss. That is a strong indication that complainant no longer wishes to pursue this matter. The Commission concludes that the complaint should be dismissed.

CONCLUSION

The complaint should be dismissed.

ORDER

IT IS ORDERED that the complaint filed by Insurance Centers Northwest, Inc., is dismissed.

Made, entered, and effective _____.

Roy Hemmingway
Chairman

Lee Beyer
Commissioner

Joan H. Smith
Commissioner

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.