

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of MID-)
COM Communications, Inc. for a Certificate)
of Public Convenience and Necessity to) Case No. 96-1123-TP-ACE
Provide Local Telecommunications)
Services in Ohio.)

ENTRY

The Commission finds:

- (1) On October 23, 1996, the applicant, MIDCOM Communications, Inc. (MIDCOM), filed an application for a certificate of public convenience and necessity to provide local telecommunications services in Ohio.
- (2) By order issued January 16, 1997, this case was suspended due to the failure of MIDCOM to file with the Commission a complete tariff. As of November 13, 1998, a complete tariff had still never been submitted.
- (3) On November 13, 1998, an entry was issued that directed the applicant to submit, on or before November 27, 1998, either a proposed, complete tariff in this case or a letter notifying the Commission of the applicant's intention to proceed immediately in this matter, otherwise this case would be dismissed for lack of prosecution. The entry was served upon the applicant by certified mail. The Commission's records in this matter include a signed certified mail receipt indicating that the November 13, 1998 entry was received by the applicant on November 18, 1998.
- (4) To date, the applicant has failed to respond in any way to the directives of the entry it received on November 18, 1998. In specific terms, that entry put the applicant on notice that its failure to timely respond to the entry's directives, or otherwise to express an intention to pursue this matter further, would result in dismissal of this case. Therefore, this case shall now be dismissed for lack of prosecution. However, such dismissal shall in no way preclude the applicant from, in the future, filing a new application of the same type.

It is, therefore,

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Technician DLW

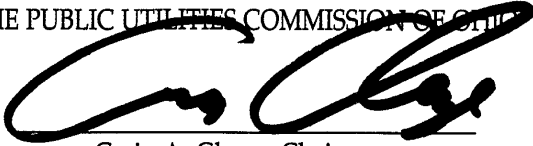
Date Processed 12-11-98

ORDERED, That this case is dismissed and closed of record. It is, further,

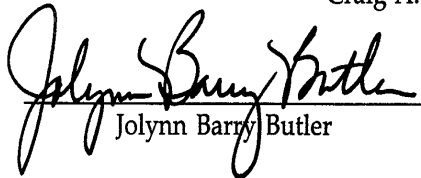
ORDERED, That such dismissal of this case shall in no way preclude anyone from, in the future, filing a new application of the same type. It is, further,

ORDERED, That a copy of this entry be served upon the applicant and its counsel and upon all interested parties of record.

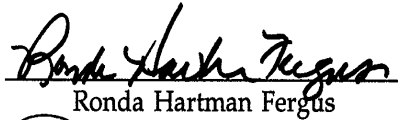
THE PUBLIC UTILITIES COMMISSION OF OHIO



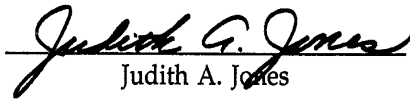
Craig A. Glazer, Chairman



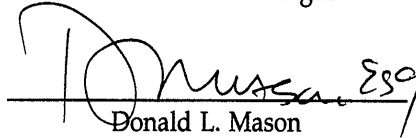
Jolynn Barry Butler



Ronda Hartman Fergus



Judith A. Jones



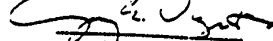
Donald L. Mason

DEF:geb

Entered in the Journal

DEC 10 1998

A True Copy



Gary E. Vigorito
Secretary

CASE NUMBER 96-1123-TP-ACE
CASE DESCRIPTION MIDCOM COMMUNICATIONS INC.
DOCUMENT SIGNED ON December 10, 1998
DATE OF SERVICE 12-11-98

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PARTIES OF RECORD

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