

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

STAFF OF THE MISSOURI
PUBLIC SERVICE COMMISSION,

Complainant,

v.

NORSTAN NETWORK
SERVICES, INC.,

Respondent.

File No. LC-2009-0343

Order to Show Cause

Issue Date: May 1, 2009

Effective Date: May 1, 2009

The Missouri Public Service Commission is ordering Norstan Network Services, Inc., ("Norstan") to show cause why the Commission should not issue an order of default against Norstan.

On March 25, 2009, the Commission's staff ("Staff") filed the complaint. On March 26, 2009, the Commission issued an order requiring Norstan to file an answer no later than April 27, 2009. As of the date of this order, Norstan has filed no answer. Such facts support the entry of a default against Norstan:

If the respondent in a complaint case fails to file a timely answer, the complainant's averments may be deemed admitted and an order granting default entered. [¹]

Before the Commission takes action under that provision, Norstan may show cause why the Commission should not do so.

To show cause why the Commission should not dismiss the complaint, Norstan must respond to this order by filing an answer and showing cause why the Commission should accept it out of time and not enter an order of default. If Norstan does so, the Commission may schedule a hearing to gather evidence on which to decide the complaint. If Norstan does not comply with this order, the Commission may deem the allegations in the complaint admitted and decide the case on that basis.

THE COMMISSION ORDERS THAT:

1. Norstan Network Services, Inc., shall file an answer to the complaint no later than May 15, 2009, and show cause why the Commission should accept the late filing and not issue an order of default against Norstan.
2. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Daniel Jordan, Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 1st day of May 2009.

¹ 4 CSR 240.070(9).