

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Petition of the DIVISION OF PUBLIC UTILITIES for an Order to Show Cause why PATHNET, INC. should not be penalized for failure to file its annual report and pay its Public Utilities Regulation Fee)
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DOCKET NO. 02-2336-01
NOTICE OF HEARING AND
ORDER TO SHOW CAUSE

ISSUED: December 3, 2002

By The Commission:

Notice is hereby given that the Petition of the Division of Public Utilities (Division) for an Order to Show Cause to Pathnet Operating, Inc. (Respondent) has been set for hearing before the Public Service Commission's Administrative Law Judge, on Friday, December 20, 2002, at 9:00 a.m., in Hearing Room No. 451, Heber M. Wells State Office Building, 160 East 300 South, Salt Lake City, Utah.

The Division alleges that the Respondent has failed to timely file its annual report for the year ended December 31, 2001 that was due March 31, 2002, and has failed to pay its Public Utilities Regulation Fee that was due July 1, 2002.

A Default Order may be taken against Respondent for its failure to respond to this Order to Show Cause.

Further notice is given that the hearing will also consider whether sanctions should be taken against the Respondent for its failure to comply with Utah statutory or administrative rule provisions.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify Julie Orchard, Commission Secretary, by mail at 160 East 300 South, Salt Lake City, Utah, 84111, or by telephone at (801) 530-6713, at least three working days prior to the hearing.

DATED at Salt Lake City, Utah, this 3rd day of December 2002.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

G#31754