

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

---

In the Matter of the Formal Complaint of HarmonyIP.com vs. XO Communications	) ) ) )	<u>DOCKET NO. 07-2208-01</u> <u>REPORT AND ORDER DISMISSING</u> <u>COMPLAINT</u>
---	------------------	--

---

ISSUED: August 27, 2007

By The Commission:

On July 20, 2007, Complainant HarmonyIP.com filed a formal complaint against Respondent XO Communications claiming Respondent has generated numerous billing errors and failed to execute critical service orders placed by Complainant.

On August 20, 2007, Complainant filed a written notice withdrawing its complaint against XO Communications while reserving the right to re-file if Respondent breaches terms of a settlement reached between Complainant and Respondent.

Wherefore, based upon the foregoing information, and for good cause appearing, the Administrative Law Judge enters the following proposed

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The complaint filed herein is dismissed.
2. Pursuant to Utah Code §§ 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the

DOCKET NO. 07-2208-01

- 2 -

Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 27<sup>th</sup> day of August, 2007.

/s/ Steven F. Goodwill  
Administrative Law Judge

Approved and Confirmed this 27<sup>th</sup> day of August, 2007, as the Report and Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary  
G#54422