

Decision 09-02-033

February 19, 2009

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Pac-West Telecomm, Inc. (U5266C),

Complainant,

vs.

Telscape Communications, Inc. (U6589C),

Defendant.

Case 07-10-018  
(Filed October 19, 2007)

**ORDER DISMISSING APPLICATION FOR REHEARING AND  
RELATED MOTION FOR STAY OF DECISION (D.) 08-12-001**

On February 12, 2009, Pac-West Telecomm, Inc. ("Pac-West") and Telscape Communications, Inc. ("Telscape") jointly submitted and served a request to dismiss Telscape's Application for Rehearing of Decision (D.) 08-12-001, filed on December 15, 2008, and the related Motion for Stay of D.08-12-001, filed by Telscape on December 9, 2008. No party in the above-captioned proceeding has filed an opposition to the request for dismissal.

Pursuant to Section 308 of the California Public Utilities Code and the Commission's Resolution A-4638,

**IT IS THEREFORE ORDERED** that:

1. The Application for Rehearing of D.08-12-001, filed by Telscape on December 15, 2008, is dismissed.
2. The Motion to Stay, filed by Telscape on December 9, 2008, is dismissed.

3. The proceeding, Case (C.) 07-10-018, is hereby closed.

This order is effective today.

Dated February 19, 2009 at San Francisco, California.

/s/ PAUL CLANON

PAUL CLANON  
Executive Director