

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the complaint of	)	
<b>CARL GERVASON of CENTURY 21</b>	)	
<b>CORNERSTONE against MPOWER</b>	)	Case No. U-13158
<b>COMMUNICATIONS CORP.</b>	)	
_____	)	

At the April 16, 2002 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Laura Chappelle, Chairman  
Hon. David A. Svanda, Commissioner  
Hon. Robert B. Nelson, Commissioner

**ORDER**

On October 22, 2001, Carl Gervason of Century 21 Cornerstone filed a complaint against Mpower Communications Corp. alleging an unauthorized switch of service providers. On March 20, 2002, the complainant filed a request to withdraw the complaint without prejudice.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1991 PA 179, as amended, MCL 484.2101 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACS, R 460.17101 et seq.
- b. The complaint should be dismissed without prejudice.

THEREFORE, IT IS ORDERED that the complaint of Carl Gervason of Century 21 Cornerstone against Mpower Communications Corp. is dismissed without prejudice.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ Laura Chappelle  
Chairman

( S E A L )

/s/ David A. Svanda  
Commissioner

/s/ Robert B. Nelson  
Commissioner

By its action of April 16, 2002.

/s/ Dorothy Wideman  
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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Chairman

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Commissioner

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Commissioner

By its action of April 16, 2002.

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Suggested Minute:

“Adopt and issue order dated April 16, 2002 dismissing without prejudice the complaint of Carl Gervason of Century 21 Cornerstone against Mpower Communications Corp., as set forth in the order.”