

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the complaint of)	
LUCRE, INC., against SBC MICHIGAN.)	Case No. U-14374
_____)	

In the matter of the complaint of SBC)	
MICHIGAN against LUCRE, INC. , for refusal)	
to pay certain charges lawfully assessed and)	Case No. U-14384
for other violations of duties under law.)	
_____)	

At the November 10, 2005 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. J. Peter Lark, Chairman
Hon. Laura Chappelle, Commissioner
Hon. Monica Martinez, Commissioner

ORDER STAYING FURTHER PROCEEDINGS DUE TO BANKRUPTCY FILING

On August 1, 2005, the Commission issued an order in Case Nos. U-14374 and U-14384 finding that (1) Lucre, Inc., should be required to pay the total amount of its indebtedness to SBC Michigan (SBC) for all unpaid access, SS7, and 9-1-1 charges up to the date of the order; (2) Lucre should be required to cease and desist from failing to comply with SBC's tariffs; and (3) both parties should provide proof of payment in full to the privately retained mediator within ten days. On August 11, 2005, Lucre filed identical petitions for rehearing in each case. On September 1, 2005, SBC filed identical answers to those petitions.

Recently, the Commission was informed that Lucre had filed a petition commencing a bankruptcy proceeding. The filing of a bankruptcy case, under any chapter of the Bankruptcy

Code, triggers an injunction against the continuance of any action by any creditor against the debtor or the debtor's property. *See*, 11 USC 362. For this reason, the Commission finds that further proceedings in these matters should not be undertaken until Lucre's discharge from bankruptcy or until the bankruptcy court grants a motion to lift the automatic stay, whichever occurs first.

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, 1999 AC, R 460.17101 *et seq.*

b. Further proceedings in these matters should not be undertaken until Lucre's discharge from bankruptcy or until the bankruptcy court grants a motion to lift the automatic stay, whichever occurs first.

THEREFORE IT IS ORDERED that further proceedings in these matters shall not be undertaken until Lucre, Inc.'s discharge from bankruptcy or until the bankruptcy court grants a motion to lift the automatic stay, whichever occurs first.

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

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ J. Peter Lark

Chairman

(S E A L)

/s/ Laura Chappelle

Commissioner

/s/ Monica Martinez

Commissioner

By its action of November 10, 2005.

/s/ Mary Jo Kunkle

Its Executive Secretary

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

MICHIGAN PUBLIC SERVICE COMMISSION

Chairman

Commissioner

Commissioner

By its action of November 10, 2005.

Its Executive Secretary