

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Jeffrey L. Pursley, Director of        ) Application No.911-020.01  
the Nebraska Telecommunications        )  
Infrastructure and Public Safety        )  
Department of the Nebraska            )  
Public Service Commission,            )  
                                          )  
                                  Complainant,        ) ORDER TO DISMISS IN PART  
v.                                                )  
                                          )  
Level 3 Communications, LLC;            )  
Vartec Telecom, Inc.; NebCon            )  
Partnership; Budget Phone, Inc.;        )  
CAT Communications Inter-                )  
national; Granite Telecommuni-         )  
cations, LLC; Comtel Telecom            )  
Assets, LP;                                )  
                                          )  
                                  Respondent(s).        ) Dated: August 28, 2007

BY THE COMMISSION:

On July 3, 2007, Jeff Pursley, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department (Complainant), filed a complaint in this docket alleging a violation of Neb. Rev. Stat. § 86-437. Complainant alleged Respondents failed to timely file with the Commission annual reporting information as required by § 86-437(2) by April 30, 2007. Complainant sought an order assessing administrative fines and ordering Respondents to comply with the reporting requirements.

The company listed below has signed a stipulation with the Complainant wherein respondent has agreed to pay an administrative fine and costs to dismiss the departmental complaint:

**Comtel Telecom Assets, LP**

Additionally, the Respondent has submitted the required report in compliance with Commission requirements and agreed to the fine amount. The Commission finds that the signed stipulation is satisfactory and therefore the above-listed Respondent should be dismissed from the complaint.

The company listed in the preceding paragraph should be aware that this Commission will not tolerate similar behavior in 2008 regarding the filing of the 2007 report. If reports are

not postmarked on or before April 30, 2007, the option of resolving the complaint through a stipulation will be closely scrutinized. All companies that have agreed to such a stipulation will be considered a willful violator and be subject to the maximum penalty allowed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that **Comtel Telecom Assets, LP** be, and hereby is, dismissed from the complaint.

MADE AND ENTERED at Lincoln, Nebraska this 28th day of August, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director