

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Jeffrey L. Pursley, Director of ) Application No.911-020.02  
the Nebraska Telephone )  
Infrastructure and Public Safety )  
Department of the Nebraska )  
Public Service Commission, )  
)  
Complainant, )  
v. )  
)  
1-800-Reconex; Applied )  
Communications Technology Inc.; )  
Arapahoe Telephone Company d/b/a )  
ATC Communications; Cable USA, )  
LLC; Charter Fiberlink- Nebraska )  
L.L.C. a/k/a Charter )  
Communications VI, LLC; )  
Citistream Communications, Inc.; )  
Community Internet Systems, ) COMPLAINT  
Inc.; Cozad Telephone Company; )  
Dalton Telephone Company; Elsie )  
Communications, Inc.; Global )  
Connection Inc. of America; )  
Granite Telecommunications, )  
L.L.C.; MCImetro Access )  
Transmission Services, L.L.C.; )  
Northstar Telecom, Inc.; Three )  
River Telco; Three River )  
Communications, L.L.C.; Time )  
Warner Cable Information )  
Services (Nebraska), L.L.C.; VCI )  
Company d/b/a Vilaire )  
Communications, Inc.; )  
)  
Respondents(s) ) Filed: June 10, 2008

COMES NOW, Mr. Jeffrey L. Pursley, Director of the Nebraska Telephone Infrastructure and Public Safety Department (NTIPS) of the Nebraska Public Service Commission (Commission) (hereinafter "Complainant") for Complaint against the following parties:

1-800-Reconex  
Applied Communications Technology Inc.  
Arapahoe Telephone Company d/b/a ATC Communications  
Cable USA, LLC  
Charter Fiberlink-Nebraska LLC a/k/a Charter Communications VI, LLC  
Citistream Communications, Inc.

Community Internet Systems, Inc.  
Cozad Telephone Company  
Dalton Telephone Company  
Elsie Communications, Inc.  
Global Connection Inc. of America  
Granite Telecommunications, L.L.C.  
MCImetro Access Transmission Services, L.L.C.  
Northstar Telecom, Inc.  
Three River Telco  
Three River Communications, L.L.C.  
Time Warner Cable Information Services (Nebraska), L.L.C.  
VCI Company d/b/a Vilaire Communications, Inc.

(hereinafter "Respondents") and alleges the following:

1. The Complainant is the Director of the Nebraska Telephone Infrastructure and Public Safety Department (NTIPS) of the Nebraska Public Service Commission (Commission).
2. The Respondents are service suppliers as defined by Neb. Rev. Stat. § 86-432 (Cum. Supp. 2006).
3. Jurisdiction is proper pursuant to Neb. Rev. Stat. § 86-437 (Cum. Supp. 2006).
4. Pursuant to Neb. Rev. Stat. § 86-437(2), "On or before April 30 of each year, each service supplier shall report for the preceding calendar year to the Public Service Commission for each of its exchanges (a) whether 911 service or E-911 service is provided in that exchange, (b) the level of the service surcharge, (c) the location of the public safety answering point, (d) whether the governing body belongs to an inter-local agreement or other agreement with another governing body and, if so, the name of the other governing body, and (e) the amount of revenue collected by the service surcharge."
5. All Respondents were notified of the filing requirement via U.S. mail sent on February 8, 2008.
6. The Complainant alleges that Respondents named herein

have violated § 86-437(2) by failing to timely file the required information by April 30, 2007.

7. The Complainant further alleges that due to the Respondents' failure, Respondents are subject to administrative fines and administrative fees pursuant to § 75-156 and § 86-437(5).

WHEREFORE the Complainant therefore respectfully prays that the Nebraska Public Service Commission:

- a) serve the Respondents with a copy of this Complaint;
- b) enter an order scheduling a hearing;
- c) after hearing, find the Respondents named herein guilty of the alleged violation(s);
- d) after hearing, order the Respondents to provide the required information;
- e) after hearing, levy administrative penalties and administrative fees against the Respondents for each violation pursuant to §§ 75-156 and 86-437(5);
- f) and, after hearing, enter an order for any and all other relief as deemed appropriate by the Commission and as authorized by law.

Respectfully Submitted,

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Jeffrey L. Pursley, Director  
Nebraska Telephone Infrastructure  
and Public Safety Department  
Nebraska Public Service Commission  
300 The Atrium Building  
1200 N Street  
P.O. Box 94927  
Lincoln, Nebraska 68509



CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above Complaint was sent by Certified United States Mail postage prepaid on \_\_\_\_\_, 2008, to the following:

1-800-Reconex,  
2500 Industrial Avenue, Hubbard OR 97032  
Applied Communications Technology Inc.  
P O Box 300, Arapahoe, NE 68922  
Arapahoe Telephone Company d/b/a ATC Communications,  
P O Box 300, Arapahoe, NE 68922  
Cable USA, LLC and Charter Fiberlink-Nebraska LLC a/k/a Charter Communications VI, LLC  
12405 Powerscourt Drive, St. Louis MO 63131  
Citistream Communications, Inc.  
5005 Vine Street, Suite #301, Lincoln, NE 68504  
Community Internet Systems, Inc.  
P O Box 159, Columbus NE 68602  
Cozad Telephone Company  
122 East 7<sup>th</sup> Street, Cozad, NE 69130  
Dalton Telephone Company  
P O Box 19817, Colorado City, CO 81019  
Elsie Communications, Inc.  
P O Box 19817, Colorado City, CO 81019  
Global Connection Inc. of America  
3957 Pleasantdale Road, Atlanta GA 30340  
Granite Telecommunications, L.L.C.  
100 Newport Avenue Extension, Quincy MA 02171  
MCImetro Access Transmission Services, L.L.C.  
Suite #4200 - 707 17<sup>th</sup> Street, Denver CO 80202  
Northstar Telecom, Inc.  
445 Hamilton Avenue, Suite #408, New York NY 10601  
Three River Telco  
P O Box 66, Lynch, NE 68746  
Three River Communications, L.L.C.  
P O Box 66, Lynch, NE 68746  
Time Warner Cable Information Services (Nebraska), L.L.C.  
290 Harbor Drive, Stamford CT 06902  
VCI Company d/b/a Vilaire Communications, Inc.  
2228 So 78<sup>th</sup> Street, Tacoma WA 98409

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Angela D. Melton #21755

N O T I C E

1. Pursuant to Neb. Admin. Code, Title 291, Ch. 1, § 005.09, the Respondents are hereby notified that an answer to this complaint shall be filed and shall admit or deny each material allegation of the complaint. The answer shall assert any affirmative defenses that the Respondent may assert. The answer shall be filed with the Commission within twenty (20) days after service of the complaint. Except for good cause shown, failure to answer will be construed as an admission of the allegations in the complaint. Failure to file an answer or to appear at the hearing allows the Commission to (a) immediately enter an order assessing a civil penalty as provided by law; or (b) to proceed with the hearing and receive evidence of the alleged violation and to assess a civil penalty as provided by law.

2. Pursuant to Neb. Rev. Stat. § 75-156, the Commission may impose administrative penalties and administrative fees not to exceed ten thousand dollars (\$10,000.00) for each violation per day up to two million dollars (\$2,000,000) per violation per year.