

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Sue Vanicek, Director of the)	Application No.911-020.06/
Nebraska Telephone)	DC-82
Infrastructure and Public Safety)	
Department of the Nebraska)	
Public Service Commission,)	
)	
Complainant,)	
v.)	
)	
Cable USA III, LLC;)	
Centurytel Fiber Company, LLC;)	
Covista, Inc.; Crexendo Business)	
Solutions, Inc.; DIECA)	
Communications, Inc.; DSLNet)	
Communications, LLC; Geneva)	
Broadband, LLC; Ionex)	ORDER TO DISMISS, IN PART
Communications North, Inc.;)	
Kentucky Data Link, Inc.; LH)	
Telecom; Long Lines Siouxland,)	
LLC; Midwestern)	
Telecommunications, Inc.;)	
NetTalk.Com, Inc.; Neutral)	
Tandem-Nebraska, LLC; New Edge)	
Network, Inc.; NOS)	
Communications, Inc.; Reliant)	
Communications, Inc.; inContact,)	
Inc.; Velocity the Greatest)	
Phone Company Ever, Inc.;)	
Wholesale Carrier Services,)	
Inc.; XO Communications, LLC,)	
)	
Respondent(s).)	Entered: July 17, 2012

BY THE COMMISSION:

On May 24, 2012, Sue Vanicek, Director of the Nebraska Telephone 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, 2012. Complainant sought an order assessing administrative fines and ordering Respondents to comply with the reporting requirements.

Subsequent to the complaint, XO Communications Services, Inc. (XO) has submitted the required report in compliance with Commission requirements.

XO has signed a stipulation with Complainant wherein XO has agreed to pay an administrative fine and costs to dismiss the departmental complaint. The Commission finds that the signed stipulation and payment is satisfactory and therefore XO should be dismissed from the complaint.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that XO Communications Services, Inc., be, and is hereby, dismissed from the complaint.

MADE AND ENTERED at Lincoln, Nebraska this 17th day of July, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. 911-020.06/DC-82

Page 2

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NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Tim Schram

Chairman

Rod Johnson

ATTEST:

Anne Doyle

Gerald L. Vap

Shirley B. B.

Executive Director

//s// Rod Johnson