

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

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|----------------------------------|---|----------------------------|
| Sue Vanicek, Director of the |) | Application No. 911-029.09 |
| Nebraska Telecommunications |) | |
| Infrastructure and Public Safety |) | |
| Department of the Nebraska |) | |
| Public Service Commission, |) | |
| |) | ORDER DISMISSING COMPLAINT |
| Complainant, |) | |
| v. |) | |
| |) | |
| Verizon Wireless, |) | |
| |) | |
| Respondent. |) | Entered: October 4, 2011 |
| |) | |

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

On September 20, 2011, Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department (NTIPS) (hereinafter "Complainant") of the Nebraska Public Service Commission (Commission) filed a Complaint against Verizon Wireless (hereinafter "Respondent") alleging that Respondent failed to notify the Commission prior to activating wireless enhanced 911 service in relation to cell tower testing conducted on July 26, 2011.

On February 23, 2009, the Commission adopted the permanent funding mechanism changing the processes related to the enhanced wireless 911 fund. The testing policies and procedures have not yet been reviewed and revised in light of the new processes. The Commission intends to conduct an investigation regarding the testing requirements including, but not limited to, the notice and reporting provisions. The Complainant recommends that the Commission enter an order in this docket dismissing Respondent and releasing Respondent from any further proceedings in relation to Application No. 911-029.09.

The Commission finds that the Complaint should be dismissed against Respondent. Respondent is released from any further proceedings in relation to Application No. 911-029.09.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Complaint in Application No. 911-029.09 is hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 4th day of
October, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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MADE AND ENTERED at Lincoln, Nebraska, this 4th day of October, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Red Johnson

Anne Bufe

Gerald L. Up

//s// Frank Landis

//s// Tim Schram

Tim Schram
Chairman

ATTEST:

Phil R. J. H.
Executive Director