

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,)	Application No. 911-031.01
on its own motion, to establish)	
surcharges assessed on users of)	
prepaid wireless service and,)	HEARING OFFICER ORDER
methods for the collection and)	DENYING MOTION FOR LEAVE TO
remittance of surcharges from)	FILE LATE-FILED EXHIBIT
carriers offering prepaid)	
wireless services: TracFone)	
Wireless, Inc.)	Entered: February 12, 2008

BY THE HEARING OFFICER:

Pursuant to the Commission's June 19, 2007 Order in Application No. 911-031, all wireless carriers offering prepaid wireless services were required to notify the Commission in writing no later than September 1, 2007, as to which of the three methods for the collection and remittance of the enhanced wireless 911 surcharge it will utilize for the collection and remittance of the enhanced wireless 911 surcharge. Wireless carriers were also permitted to proposed alternate methods.

On or about September 1, 2007, TracFone Wireless, Inc. (TracFone) filed an application to use an alternative method for the collection and remittance of the enhanced wireless 911 surcharge. Hearing regarding TraFone's alternative method was held on January 16, 2008.

On February 8, 2008, TracFone filed a Motion for Leave to File Late-Filed Exhibit seeking leave to file a document issued by CTIA entitled "Wireless Principles for 9-1-1 Fees and Surcharges".

Contrary to TracFone's assertion that the issue in this matter is how Nebraska's E911 surcharges should be collected, the issue presented is whether TracFone's proposed methodology is appropriate under Nebraska state law. The Hearing Officer finds that the document is not relevant to the issue of whether TracFone's proposed methodology should be approved by the Commission. Therefore, TracFone's Motion should be denied.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that TracFone's Motion for Leave to File Late-Filed Exhibit is denied.

MADE AND ENTERED at Lincoln, Nebraska this 12th day of February, 2008.

BY: _____
Hearing Officer