

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Sue Vanicek, Director of the)	Application No. 911-033.06
Nebraska Telecommunications)	
Infrastructure and Public Safety)	
Department of the Nebraska)	
Public Service Commission,)	
)	
Complainant,)	ORDER TO DISMISS
v.)	
)	
Embarq Communications, Inc.,)	
)	
Respondent(s).)	Entered: April 21, 2009

BY THE COMMISSION:

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

On January 27, 2009, 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 Embarq Communications, Inc. (hereinafter "Respondent") alleging that Respondent failed to file its wireless E911 remittance worksheets or remittance payments to the NTIPS department for August, 2006; September, 2006; October, 2006; November, 2006; December, 2006; January, 2007; February, 2007; March, 2007; April, 2007; May, 2007; June, 2007; July, 2007; August, 2007; September, 2007; October, 2007; November, 2007; December, 2007; January, 2008; February, 2008; March, 2008; April, 2008; May, 2008; June, 2008; July, 2008; August, 2008; and September, 2008 pursuant to Neb. Rev. Stat. § 86-442 et seq. (Cum. Supp. 2006).

Since the filing of the complaint, Respondent has filed the appropriate worksheets and/or payments and has requested a one-time waiver pursuant to the Department's fining policy. Respondent is on notice that should it fail to timely make future filings that additional administrative fines and costs may be imposed.

The Commission finds that a one-time waiver should be granted and that the Complaint should be dismissed against Respondent. Respondent is released from any further proceedings in relation to Application No. 911-033.06.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that a one-time waiver should be granted and the Complaint in Application No. 911-033.06 is hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 21st day of April, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director