

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission) Application No. NUSF-32
on its own motion, seeking to)
conduct an inquiry into the) ORDER ACCEPTING STIPULATION
failure of various companies to) AND DISMISSING SHOW CAUSE
comply with Commission Orders)
and, at its own discretion,)
impose administrative fines)
against the named defendants.) Entered: June 2, 2004

APPEARANCES:

For Ionex Communications North, Inc.
Mark Fahleson
Rembolt, Lutdke & Berger LLP
1201 Lincoln Mall
Suite 102
Lincoln, NE 68508

For the Commission Staff:
Shana Knutson
300 The Atrium
1200 N Street
Lincoln, NE 68508

BY THE COMMISSION:

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

On February 18, 2004, the Commission opened the above-captioned docket initiating a show cause proceeding against certain carriers for failing to timely file their remittance audit in accordance with NUSF-1, Progression Order No. 7 as expanded and extended by NUSF-33, Progression Order No. 1 and Title 291, Chapter 10, Rule 003.05 of the Nebraska Administrative Code.

A show cause hearing was held on March 23, 2004. Ionex Communications North, Inc., appeared through its local counsel, Mr. Mark Fahleson. The remittance audit and a stipulated civil penalty of \$3,300.00 have been received by the NUSF Department and the parties are therefore requesting dismissal pursuant to the terms of the stipulation. Upon review of the agreement and the receipt of the civil penalty, the Commission is of the opinion and finds that the Show Cause proceeding against Ionex Communications North, Inc., should be dismissed.

Application No. NUSF-32

PAGE 2

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the terms of the Stipulation are approved and the Show Cause initiated against Ionex Communications North, Inc., in the above captioned docket should be and it is hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 2nd day of June 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Lawrence Johnson

Anne E. Boyle

Frank E. Landis

//s//Frank E. Landis

//s//Gerald L. Vap

Chairman

Gerald L. Vap

ATTEST:

And J. Pollard

Executive Director