

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission on its) Application No. NUSF-32
own motion, seeking to conduct an)
inquiry into the failure of various)
companies to comply with Commission)
Orders and, at its own discretion,) ORDER ACCEPTING STIPULATION
impose administrative fines against the) AND DISMISSING SHOW CAUSE
named defendants.)
Entered: June 17, 2003

BY THE COMMISSION:

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

On April 22, 2003, the Commission initiated a Show Cause proceeding against NPCR Nextel Partners (Nextel) in the above captioned docket. The Commission ordered Nextel to appear and show cause why it should not be administratively fined for failure to comply with NUSF-1, Progression Order No. 7 and Commission rules regarding audits. By joint Stipulation, Settlement and Request for Dismissal (stipulation) filed June 9, 2003, the Nebraska Universal Service Fund Department (NUSF) and Nextel agreed, contingent upon Commission approval, to dismiss the Show Cause after Nextel's payment of a civil penalty.

The agreed upon civil penalty of \$3,300.00 has 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 Nextel should be dismissed.

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 NPCR Nextel Partners in the above captioned docket should be and it is hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 17th day of June 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director