

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Jeffrey L.) Application No. NUSF-37.108
Pursley, Director of the)
Nebraska Telecommunications)
Infrastructure and Public Safety)
Department of the Nebraska)
Public Service Commission,)
) DISMISSED
 Complainant,)
v.)
)
Touch 1 Communications, Inc.,)
)
 Respondent(s).) Entered: January 21, 2009

BY THE COMMISSION:

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

On October 24, 2006 the Nebraska Telecommunications Infrastructure and Public Safety (NTIPS) Director filed a Complaint against Touch 1 Communications Inc. (Respondent) seeking to fine Respondent on the grounds that it failed to file the required remittance worksheet or remittance payment by the 15th day following the end of the remittance period pursuant to section 003.02 and/or section 003.03 of Title 291, Neb. Admin. Rules & Regs. Chapter 10.

Subsequent to the filing of this Complaint, Touch 1 Communications Inc.'s parent company Trinsic Communications filed for Chapter 11 bankruptcy protection which was later converted to a liquidation proceeding.¹ Matrix Telecom, Inc. purchased assets of Trinsic Communications Inc. in an Asset Purchase Agreement which was approved by the bankruptcy court. The Commission approved the transfer of assets by order in Docket C-3794. In light of these circumstances, the Commission is of the opinion and finds that the Complaint should be dismissed.

O R D E R

¹ For a more complete description of the circumstances involving the transfer of Touch 1 Communications Inc.'s assets see Application No. C-3794, *In the Matter of the Joint Application of Trinsic Communications, Inc., Touch 1 Communications, Inc., Tampa, Florida, and any Successor in Interest, including a Chapter 7 Bankruptcy Trustee and Matrix Telecom, Inc., Dallas, Texas, seeking approval of a transfer of assets*, Granted (May 23, 2007).

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned complaint against Touch 1 Communications, be, and is hereby dismissed.

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

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director