

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Complaint            ) Application No. NUSF-37.123  
of Jeffrey L. Pursley, Director            )  
of the Nebraska Telecommuni-            )  
cations Infrastructure and                )  
Public Safety Department of the        )  
Nebraska Public Service                )  
Commission,                                )  
  ) ORDER SUSTAINING COMPLAINT  
  )  
  )  
vs.    )  
  )  
Gold Line Telemanagement,                )  
  )  
  )  
Respondent(s).                            ) Entered: March 25, 2008

BY THE COMMISSION:

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

By Complaint dated April 25, 2007, Jeffrey L. Pursley, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department ("NTIPS") Department of the Nebraska Public Service Commission ("Commission") (hereinafter "Complainant") filed a Complaint against Gold Line Telemanagement, (hereinafter "Respondent") alleging that Respondent failed to file the required remittance worksheets or remittance payments to the NTIPS Department by the 15th day following the end of the remittance period for the 4th Quarter, 2005; 4th Quarter, 2006; and 1st Quarter, 2007 remittance periods.

A copy of the Complaint was mailed to the Respondent, by certified mail, on May 16, 2007. On January 15, 2008, the Commission entered a Show Cause Order seeking administrative fines and revocation of the Respondent's certificate of authority and setting this matter for hearing. A hearing was held in the Commission Hearing Room, Lincoln, Nebraska on February 12, 2008 at 1:30 p.m. Nichole Underhill entered an appearance on behalf of the Commission staff. The Respondent failed to enter an appearance. Commission counsel recommended the Commission impose an administrative penalty upon the Respondent for the violations listed in the Complaint and not answered by the Respondent. Commission counsel further requested the Commission consider the gravity and severity of the offense along with the lack of the good faith shown by the Respondent in failing to appear and answer to the allegations.

Upon consideration of the arguments presented in this case the Commission finds Respondent has failed to resolve the delinquency with the NTIPS Department. Respondent has violated Section 3.02 of the Nebraska Universal Service Fund Rules provided in Neb. Admin. Code Title 291, Chapter 10. In consideration thereof, the Commission is of the opinion and finds that the Complaint filed herein should be sustained and Respondent should be assessed a penalty in the amount of Five Thousand dollars (\$5,000.00) in administrative fines and late handling fees. The Commission further finds that if Respondent fails to remit the adjudged penalties and fees in sixty (60) days from the date of this order, the Commission will seek revocation of Respondent's certificate of authority.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Complaint filed against Respondent Gold Line Telemanagement shall be and it is hereby sustained.

IT IS FURTHER ORDERED that Respondent pay an administrative fine and late handling fee in the amount of Five Thousand dollars (\$5,000.00) for the violations found herein.

IT IS FURTHER ORDERED that Respondent remit to the Nebraska Public Service Commission all adjudged penalties and fees within sixty (60) days from the date of this Order.

MADE AND ENTERED at Lincoln, Nebraska, this 25th day of March, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director