

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 REVOKING CERTIFICATE  
  ) OF AUTHORITY  
  )  
  )  
vs.                    )  
  )  
Gold Line Telemanagement,                    )  
  )  
  ) Respondent(s).    ) Entered: September 3, 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 a hearing. At the hearing on February 12, 2008 the Respondent failed to enter an appearance.

On March 20, 2008 the Commission entered an order sustaining the complaint against the Respondent and assessed a penalty in the amount of Five Thousand dollars (\$5,000.00), giving the Respondent sixty (60) days to remit the adjudged penalties and fees or the Commission would seek revocation of Respondent's certificate of authority. A copy of the order

sustaining the complaint was mailed to the Respondent on March 26, 2008.

The Respondent is a telecommunications company as defined by Neb. Rev. Stat. § 86-322 (Cum. Supp. 2002) and Title 291, Neb. Admin. R. & Regs. Chapter 10, Section 001.01W. Jurisdiction is proper pursuant to Neb. Rev. Stat. § 86-316 et seq. and Title 291, Neb. Admin. R. & Regs. Chapter 10. Pursuant to Section 003.01A of Title 291, Neb. Admin. R. & Regs. Chapter 10 telecommunications companies shall remit the NUSF surcharge on a monthly basis to the NUSF. Sections 003.02 and 003.03 further provide in pertinent part:

003.02 Remittance Worksheets: Remittance worksheets shall be received by the Department no later than the 15th day following the end of a remittance period.

003.03 Remittances to the NUSF: Except as provided in Rule 003.03A, all remittances must be transferred electronically to the Nebraska State Treasurer. Remittances must be received by the Nebraska State Treasurer no later than the 15<sup>th</sup> day following the end of the remittance period.

The Respondent failed to resolve the delinquency with the NTIPS Department and to remit the adjudged penalties and fees as required by the Commission's March 20, 2008 Order. On July 29, 2008, the Commission entered a Show Cause Order seeking revocation of the Respondent's certificate of authority and setting a hearing. A hearing was held on August 26, 2008, in the Commission Hearing Room, Lincoln, Nebraska at 11:00 a.m. Nichole Underhill entered an appearance on behalf of the Commission. The Respondent failed to enter an appearance at the hearing. In consideration thereof, the Commission finds that the Certificate of Public Convenience and Necessity issued to the Respondent should be revoked.

#### O R D E R

IT IS THEREFORE ORDERED that the Certificate of Public Convenience and Necessity issued to Gold Line Telemanagement be, and is hereby, revoked.

IT IS FURTHER ORDERED that Gold Line Telemanagement shall cease and desist providing service in the State of Nebraska

within 60 days from the date of this order. Furthermore, said carrier shall give at least 30 days notice of discontinuance of service to its customers and reimburse said customers from any charges associated with obtaining service from a different carrier.

MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of August, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director