

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Complaint	)	Application No. NUSF-37.59
of Jeffrey L. Pursley, Director	)	
of the Nebraska Universal	)	
Service Department of the	)	
Nebraska Public Service	)	
Commission,	)	
	)	ORDER SETTING HEARING
Complainant,	)	
	)	
vs.	)	
	)	
	)	
Business Telecom, Inc.	)	
Respondent(s).	)	
	)	Entered: October 18, 2005

BY THE COMMISSION:

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

By Complaint dated May 24, 2005, Jeffrey L. Pursley, Director of the Nebraska Universal Service Fund (NUSF) Department of the Nebraska Public Service Commission (Commission) (hereinafter "Complainant") filed a Complaint against Business Telecom, Inc. (hereinafter "Respondent") alleging that Respondent failed to file the required remittance worksheets or remittance payments to the NUSF Department by the 15th day following the end of the remittance period.

A copy of the Complaint was mailed to the Respondent, by certified mail, on June 10, 2005.

To date, Respondent has failed to resolve the delinquency with the NUSF Department. In consideration thereof, the Commission is of the opinion and finds that a hearing should be scheduled December 6, 2005 at 1:30 p.m. in the Commission Hearing Room located at 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Hearing in Docket NUSF-37.59, be and is hereby, set for December 6, 2005 at 1:30 p.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 18th day of October, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director