

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Complaint) Application No. NUSF-37.60
of Jeffrey L. Pursley, Director)
of the Nebraska Universal)
Service Department of the)
Nebraska Public Service)
Commission,)
) ORDER CONTINUING HEARING
)
)
vs.)
)
CommSouth Companies, Inc.)
)
)
) Respondent(s).
) Entered: November 8, 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 June 1, 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 CommSouth Companies, 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 22, 2005 and again on July 21, 2005.

By order the Commission scheduled a hearing on this Complaint which was to be held on December 6, 2005 at 1:30 p.m. Subsequently, the Commission was notified by Respondent that it was in Chapter 7 Bankruptcy proceedings and was in the process of discontinuing its telecommunications services in Nebraska. Respondent filed Application No. C-3483 requesting cancellation of its operating certificate. In light of the circumstances presented by Respondent in this particular case, we find the hearing should be continued to a date later to be determined.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the hearing date previously set by the Commission on this Complaint shall be and it is hereby continued to a date later to be determined.

MADE AND ENTERED at Lincoln, Nebraska, this 8th day of November, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director