

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,)
) DISMISSED
 Complainant,)
)
vs.)
)
CommSouth Companies, Inc.)
)
 Respondent(s).)
) Entered: May 16, 2006

BY THE COMMISSION:

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

On 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 the above-captioned 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.

A hearing on the Complaint was set for December 6, 2005. At that time it was made known to the Commission that Respondent had filed a Chapter 7 bankruptcy petition and was liquidating its assets. The Commission continued the hearing until a date later to be determined. Respondent had also filed a request to cancel its certificate of public convenience and necessity which was granted on December 20, 2005 in Application No. C-3483. Subsequently, Respondent notified the Commission that it had completely dissolved and was no longer providing telecommunications services in the State of Nebraska. Based on these circumstances, the Commission is of the opinion and finds that the above-captioned complaint should be dismissed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned complaint be and it is hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 16th day of May 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director