

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Complaint) Application No. NUSF-37.86
of Jeffrey L. Pursley, Director)
of the Nebraska Universal)
Service Department of the)
Nebraska Public Service)
Commission,)
) ORDER SUSTAINING COMPLAINT
)
)
)
vs.)
)
)
Globalcom, Inc.,)
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)
Respondent(s).) Entered: August 15, 2006

BY THE COMMISSION:

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

On March 29, 2006 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 Globalcom, Inc., (hereinafter "Respondent") alleging that Respondent failed to file the required remittance worksheet to the NUSF Department by the 15th day following the end of the remittance period for the month of February 2006.

A copy of the Complaint was mailed to the Respondent, by certified mail, on March 31, 2006. On May 24, 2006, the Commission entered an Order setting this matter for hearing. A hearing was held in the Commission Hearing Room, Lincoln, Nebraska on July 11, 2006 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 NUSF 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 Hundred and Fifty dollars (\$550.00) in administrative fines and should be required to pay a late handling fee in the amount of One Hundred dollars (\$100.00). The Commission further finds that if Respondent fails to remit the adjudged penalties and fees in a reasonable time, the Commission may 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 Globalcom, Inc. shall be and it is hereby sustained.

IT IS FURTHER ORDERED that Respondent pay an administrative fine in the amount of Five Hundred and Fifty dollars (\$550.00) for the violations found herein.

IT IS FURTHER ORDERED that Respondent pay a late handling fee in the amount of One Hundred dollars (\$100.00).

IT IS FURTHER ORDERED that Respondent remit to the Nebraska Public Service Commission all adjudged penalties and fees within thirty (30) days from the date of this Order.

MADE AND ENTERED at Lincoln, Nebraska, this 15th day of August, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director