

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Public)	Application No. NUSF-52
Service Commission requiring)	
Acceris Communications)	
Corporation to Show Cause why)	ORDER TO SHOW CAUSE
its Certificate of Public)	SUSTAINED
Convenience and Necessity should)	
not be revoked and should not be)	
assessed administrative)	
penalties.)	Entered: May 2, 2006

BY THE COMMISSION:

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

The Nebraska Public Service Commission (Commission) entered an order to Show Cause against Acceris Communications Corporation (Acceris) for repeated violations of Title 291, Neb. Admin. Code Chapter 10, § 3.02. The NUSF Director filed a complaint against Acceris alleging violations of § 3.02. Acceris failed to enter an appearance at the complaint hearing.

Subsequently, the Commission opened this Show Cause proceeding against Acceris on January 18, 2006. Notice of the Show Cause Order was received by Acceris on January 23, 2006. A hearing on the above-captioned Show Cause was held on February 28, 2006 in the Commission Hearing Room. Acceris did not enter an appearance at the Show Cause hearing.

Upon consideration of the repeated, undisputed violations of § 3.02, the Commission finds the Show Cause Order should be sustained. The certificates of public convenience and necessity issued to Acceris in Dockets C-2346 and C-3224 shall be revoked. Based on the severity and gravity of the violations involved, Acceris should also be fined in the amount of One Thousand Two Hundred and Fifty Dollars (\$1,250.00) pursuant to Neb. Rev. Stat. § 75-156 (2003). Payment of this administrative fine is due on or before June 2, 2006.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Show Cause order entered in this proceeding against Acceris Communications Corporation be and it is hereby sustained.

IT IS FURTHER ORDERED that the certificates of public convenience and necessity issued to Acceris Communications Corporation be and they are hereby revoked.

IT IS FURTHER ORDERED that an administrative penalty be levied against Acceris Communications Corporation in the amount of One Thousand Two Hundred and Fifty Dollars (\$1,250.00), which is due to the Commission on or before June 2, 2006.

MADE AND ENTERED at Lincoln, Nebraska this 2nd day of May, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director