

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Jeffrey L.	)	Application No. NUSF-54
Pursley, Director of the	)	
Nebraska Universal Service	)	
Fund Department of the	)	ORDER TO SHOW CAUSE AND
Nebraska Public Service	)	ORDER SETTING HEARING
Commission,	)	
	)	
Complainant,	)	
	)	
v.	)	
	)	
Business Options, Inc.,	)	
	)	
Respondent	)	Entered: March 14, 2006

BY THE COMMISSION:

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

This is the matter of the Nebraska Public Service Commission (Commission) on its own motion, requiring Business Options, Inc. (Respondent) to Show Cause as to why the Commission should not assess administrative penalties against Respondent for failure to abide by the terms of a stipulated agreement entered into with the NUSF Department and for an order to cease and desist all Nebraska operations until such NUSF payments are made.

Respondent is a telecommunications company as defined by *Neb. Rev. Stat. § 86-322* (Cum. Supp. 2004) and *Neb. Admin. Code*, Title 291, Chapter 10, Section 001.01W.

Jurisdiction over this matter is proper pursuant to *Neb. Rev. Stat. § 86-316 et seq.* and *Neb. Admin. Code*, Title 291, Chapter 10.

On December 14, 2004, the NUSF Department Director filed a complaint against Business Options, Inc. for failure to make remittance payments into the fund as required by *Neb. Rev. Stat. § 86-324*. In order to settle the complaint, Business Options signed a stipulation with the NUSF Department agreeing to reimburse the NUSF Department for payments not made while operating in Nebraska. Defendant agreed to remit to the NUSF Department a total of Nine Thousand Six Hundred Twenty-One dollars and ninety-five cents (\$9,621.95) in twelve equal consecutive monthly installments of

Eight Hundred and One dollars and eighty-three cents (\$801.83) commencing on February 15, 2005. In exchange, the NUSF Department agreed to dismiss the complaint docketed as NUSF 37.51. On March 1, 2005, the Commission approved the stipulation and dismissed the complaint.

After May 2005, Defendant ceased remitting the agreed upon installment of Eight Hundred and One dollars and eighty-three cents after making only four installment payments.

The Commission hereby orders Defendant to appear before the Commission on April 25, 2006 at 1:30 p.m. CDT, in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska to show cause as to why it should not be administratively fined. Defendant must appear in person on 25, 2006 or in the alternative bring its account into compliance with the Commission on or before April 24, 2006.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Respondent is hereby ordered to appear before the Commission on **April 25, 2006 at 1:30 p.m. CT** at the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska, to Show Cause why it should not be administratively fined.

MADE AND ENTERED at Lincoln, Nebraska this 14th day of March, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director