

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

David A. Sankey, Director,	)	Application No. 911-033.16
Nebraska State 911 Department	)	
of the Nebraska Public Service	)	
Commission,	)	
	)	
Complainant,	)	ORDER OF DISMISSAL
v.	)	
	)	
Sprint Spectrum L.P.,	)	
	)	
Respondent.	)	Filed: June 8, 2021

BY THE COMMISSION:

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

On March 12, 2019, the Nebraska State 911 Department of the Nebraska Public Service Commission ("Department"), filed a Complaint against Sprint Spectrum L.P. (hereinafter "Respondent"), on the grounds that Respondent violated Neb. Rev. Stat. §§ 86-457 & 86-459(4) and 291 NAC 15 § 003.01 by charging users who live in Omaha, Nebraska an enhanced wireless 911 surcharge of fifty cents (\$.50) per active telephone number, or functional equivalent, per month, rather than forty-five cents (\$.45) per active telephone number, or functional equivalent, per month, as required by applicable Commission Orders.

Since the Complaint in this matter was entered, the Respondent has entered into a stipulated agreement with the Department resolving the allegations contained in the Complaint. Pursuant to this agreement, Respondent has paid a fine to the Department, is making refunds to affected consumers and has agreed that it will henceforth collect and remit the proper amount of E911 Surcharges, as determined annually by Commission Order. Also pursuant to the agreement, the Department and Respondent have jointly requested the Commission to enter an order in this docket dismissing the Complaint and releasing Respondent from further enforcement action with respect to the overcharges relating to the period of January 2013 through July 2019.

Upon review of the facts of this case, the stipulated agreement, and applicable laws and regulations, the Commission

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finds that the stipulation in this matter is reasonable and in accordance with Commission policy and that the Complaint in this matter should be dismissed.

## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the stipulation between Sprint Spectrum L.P. and the Nebraska State 911 Department of the Nebraska Public Service Commission be approved and the above-captioned Complaint be dismissed.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 8<sup>th</sup> day of June, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Rod Johnson*  
*Crystal Brander*  
*Mary Kadden*  
*Tim Schram*

*Don Watson*

Chair

ATTEST:

*Michael S. Hyatt*

Executive Director