

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Sue Vanicek, Director of the) Application No.911-020.03
Nebraska Telecommunications)
Infrastructure and Public Safety)
Department of the Nebraska)
Public Service Commission,)
Complainant,) ORDER TO DISMISS, IN PART
v.)
Metropolitan Telecommunications)
of Nebraska,)
Respondent.) Filed: July 7, 2009

BY THE COMMISSION:

On May 19, 2009, Sue Vanicek, Director of the Nebraska Telephone Infrastructure and Public Safety Department (Complainant), filed a complaint against Metropolitan Telecommunications of Nebraska (Respondent) in this docket alleging a violation of Neb. Rev. Stat. § 86-437. Complainant alleged Respondent failed to timely file with the Commission annual reporting information as required by § 86-437(2) by April 30, 2009. Complainant sought an order assessing administrative fines and ordering Respondent to comply with the reporting requirements.

The Respondent has signed a stipulation with the Complainant wherein Respondent has agreed to pay an administrative fine and costs to dismiss the departmental complaint.

The Respondent has submitted the required report in compliance with Commission requirements. The fine amount was reduced for the Respondent due to the period of time between the filing of the complaint and the mailing of the complaint to the Respondent. The Commission finds that the signed stipulation and reduced payment is satisfactory and therefore the Respondent should be dismissed from the complaint.

Respondent should be aware that this Commission will not tolerate similar behavior in 2010 regarding the filing of the 2009 report. If reports are not postmarked on or before April 30, 2010, the option of resolving the complaint through a stipulation will be closely scrutinized. Respondent will be considered a willful violator should future violations occur and be subject to the maximum penalty allowed.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Metropolitan Telecommunications of Nebraska be, and hereby is, dismissed from the complaint.

MADE AND ENTERED at Lincoln, Nebraska this 7th day of July, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Donald F. King

Frank E. Landis
Chairman

Reg Johnson

ATTEST:

Chris [Signature]
Executive Director

Aune C. Doyle

Tim Schram

//s// Frank E. Landis