

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

|                                  |   |                            |
|----------------------------------|---|----------------------------|
| Sue Vanicek, Director of the     | ) | Application No. 911-030.17 |
| Nebraska Telecommunications      | ) |                            |
| Infrastructure and Public Safety | ) |                            |
| Department of the Nebraska       | ) |                            |
| Public Service Commission,       | ) |                            |
|                                  | ) |                            |
| Complainant,                     | ) | ORDER TO DISMISS           |
| v.                               | ) |                            |
|                                  | ) |                            |
| Omaha Cellular Telephone         | ) |                            |
| Company, Lewisville, Texas,      | ) |                            |
|                                  | ) |                            |
| Respondent.                      | ) |                            |
|                                  | ) | Entered: November 24, 2008 |

BY THE COMMISSION:

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

On November 5, 2008, Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department (NTIPS) (hereinafter "Complainant") of the Nebraska Public Service Commission (Commission) filed a Complaint against Omaha Cellular Telephone Company, Lewisville, Texas, (hereinafter "Respondent") alleging that Respondent failed to file its Quarterly Report pursuant to Neb. Rev. Stat. § 86-459(2)(Cum. Supp. 2006) due October 15, 2008.

Subsequent to the Complaint, Complainant was informed that the quarterly reporting information was filed on Respondent's behalf by Verizon Wireless, and not as a separate report. Verizon timely submitted the quarterly reports to Complainant pursuant to § 86-459(2). Therefore, the Commission finds that the Complaint should be dismissed against Respondent. Respondent is released from any further proceedings in relation to Application No. 911-030.17.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Complaint in Application No. 911-030.17 is hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 24<sup>th</sup> day of November, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Deputy Director