

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Sue Vanicek, Director of the)	Application No. 911-033.03
Nebraska Telecommunications)	911-033.04
Infrastructure and Public Safety)	
Department of the Nebraska)	
Public Service Commission,)	
)	
Complainant,)	ORDER TO DISMISS
v.)	
)	
GreatCall, Inc.,)	
)	
Respondent(s).)	
)	
)	Entered: December 16, 2008

BY THE COMMISSION:

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

On September 30, 2008, Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department (NTIPS) of the Nebraska Public Service Commission (Commission) (hereinafter "Complainant") for Complaint against GreatCall, Inc., Delmar, California (hereinafter "Respondent") alleging that Respondent failed to file its wireless E911 remittance worksheets or remittance payments to the NTIPS department for April, 2008 and May, 2008 pursuant to Neb. Rev. Stat. § 86-442 et seq. (2008 Supp.).

In the process of addressing the September 30th complaint, it was also discovered that GreatCall had failed to file its wireless E911 remittance worksheets or remittance payments for June, 2007; July, 2007 and August, 2007. Subsequently, a second complaint was filed on October 21, 2008.

Since the filing of the complaint, Respondent has filed the appropriate worksheets and/or payments and has changed third party agents for the purposes of filing to ensure that future filings will be made on a timely basis. Pursuant to Commission policy, Respondent is entitled to a one-time waiver. Although two complaints were filed, the filings were made in short succession and the later complaint arose out of efforts to resolve the initial complaint. Therefore, for purposes of granting a one-time waiver of fees and penalties, the two complaints shall be treated as one. Respondent is on notice that should it fail to timely make future filings that additional administrative fines and costs may be imposed.

The Commission finds that the Complaints should be dismissed against Respondent. Respondent is released from any further proceedings in relation to Application Nos. 911-033.03 and 911-033.04.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Complaints in Application Nos. 911-033.03 and 911-033.04 are hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 16th day of December, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director