

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Platte Valley Financial) Application No. FC-1367
Services Companies, Inc. and)
Affiliates,)
)
Complainants,)
)
v.) MOTION TO DISMISS OVERRULED
)
CenturyLink Communications,)
LLC,)
)
Defendant.) Entered: May 7, 2019

BY THE COMMISSION:

On December 20, 2018, the Nebraska Public Service Commission ("Commission") received a Formal Complaint from Platte Valley Financial Services Companies, Inc., and Affiliates (Platte Valley or Complainants) of Scottsbluff, Nebraska, against CenturyLink Communications LLC (CenturyLink or Defendant) of Monroe, Louisiana, alleging inadequacy of telecommunications service and inaccurate billing. The Complaint was amended on February 6, 2019. An Answer and a Motion to Dismiss were filed on February 15, 2019. Platte Valley filed an Objection to the Motion to Dismiss and Request for Oral Argument on February 28, 2019.

On April 23, 2019, the Commission held oral argument on the Motion to Dismiss and Objection thereto. Appearances were entered by Max Rodenberg and Jaydon Pence for Platte Valley, Jill Vinjamuri-Gettman and Kevin K. Zarling for CenturyLink, and Shana Knutson for the Commission.

Based on the arguments made by counsel in the Motion and Objection, the Commission is of the opinion and finds that the Motion to Dismiss should be overruled with leave to re-file after the submission of evidence at the hearing.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Defendant's Motion to Dismiss filed herein shall be and it is hereby overruled.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 7th day of May, 2019.

COMMISSIONERS CONCURRING:

Crystal Knades

[Signature]

[Signature]

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NEBRASKA PUBLIC SERVICE COMMISSION

Mary Ridd

Chair

ATTEST:

[Signature]

Executive Director