

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Nebraska) Application No. C-5236/DC-99
Public Service Commission)
Communications Department, on) ORDER OPENING DOCKET,
its own motion, regarding the) ORDER TO SHOW CAUSE, AND
2020 Annual Report filings.) NOTICE OF HEARING
)
) Entered: May 11, 2021

BY THE COMMISSION:

The Nebraska Public Service Commission (Commission), on its own motion, opens the present docket to collect and review the 2020 annual reports required pursuant to Neb. Rev. Stat. § 86-159, and to process any and all motions or requests related to the annual report.

On May 10, 2021, the Communications Department (Department) of the Commission filed a Departmental Complaint seeking an order assessing civil penalties and revoking the operating authority of each of the Respondents named in the Complaint. This Complaint alleges that the named carriers failed to timely file an annual report pursuant to Neb. Rev. Stat. § 86-159. A copy of the Complaint and this Order shall be mailed to each Respondent via certified mail.

Telecommunications companies are generally regulated by the Commission pursuant to Neb. Rev. Stat. §§ 75-101 *et. seq.* and 86-101 *et. seq.*, and are also governed by 291 Neb. Admin. Code, Chapter 5, of the Commission's Rules and Regulations.

As part of its regulatory authority and pursuant to Neb. Rev. Stat. § 86-159, the Commission, through the Department, requires telecommunications companies which file an annual report with a federal agency to file a copy of the same report with the Commission on or before the date on which said report is filed with the federal agency. Every such company not required to file such a report with a federal agency is required to file an annual report with the Commission in a form prescribed by the Commission on or before April 30th of each year.

Each interexchange carrier and local exchange carrier was notified by the staff by email or first class mail on or about February 1, 2021, via certified mail on or about March 1, 2021, and

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by email or first class mail on or about April 1, 2021, that the annual report was due on April 30, 2021.

Carriers who have failed to comply may be subject to fines and/or revocation of their certificate of public convenience and necessity.

The Commission finds that Respondents should be ordered to show cause as to why civil penalties should not be assessed and/or their certificates of public convenience and necessity should not be revoked. Furthermore, the Commission finds that a hearing should be scheduled on this matter on **July 13, 2021, at 11:00 a.m. CDT** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska. Web Conference access will be available on the Commission website at <https://psc.nebraska.gov/>.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned docket, be and is hereby, opened to collect and review the 2020 annual reports required pursuant to Neb. Rev. Stat. § 86-159 and to process any and all motions or requests related to the annual report.

IT IS FURTHER ORDERED that each Respondent is ordered to show cause as to why civil penalties should not be assessed and/or its certificate of necessity and convenience should not be revoked for failure to satisfy the annual report filing requirements.

IT IS FURTHER ORDERED that a copy of the Complaint and this Order shall be mailed to each Respondent via certified mail.

IT IS FURTHER ORDERED that any Respondent who subsequently files a complete, satisfactory annual report may execute a stipulation with the Department.

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IT IS FINALLY ORDERED that a hearing on this matter is scheduled for **July 13, 2021, at 11:00 a.m. CDT** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska, and via Web Conference as provided above.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 11th day of May, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Brander
Mary Kidden
Tim Schram

Don Watson

Chair

ATTEST:

Michael S. Hyl
Executive Director