

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) Application No. C-548
the Nebraska Association of Radio)
Common Carriers, Norfolk, Nebraska,) DISMISSED
for an investigation docket on)
competition in the Radio Common)
Carrier industry.) Entered: March 31, 1987

OPINION AND FINDINGS

BY THE COMMISSION:

By application filed September 24, 1984, the Nebraska Association of Radio Common Carriers, Norfolk, Nebraska seeks an investigation docket on competition in the radio common carrier industry.

Legislative Bill 835, enacted by the Nebraska Legislature in 1986 to become effective January 1, 1987 provides that the Commission shall not regulate mobile radio services, radio paging services and cellular services. This legislation was found to be constitutional by the District Court of Lancaster County on March 11, 1987.

Since applicant is an association of radio common carriers, its application should be dismissed for lack of jurisdiction.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-548 be and it is hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 31st day of March, 1987.

NEBRASKA PUBLIC SERVICE COMMISSION

Eric Rasmussen
Chairman

COMMISSIONERS CONCURRING:

James D. Gay
//s//James F. Munnelly
//s//Eric Rasmussen
//s//Harold D. Simpson
//s//Daniel G. Urwiller

ATTEST:

John Burdick
Acting Executive Secretary