

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) Application No. C-568
of Sioux Valley Radio, Sioux City,)
Iowa for Certification of Public) DISMISSED
Convenience and Necessity.)
Entered: March 31, 1987

OPINION AND FINDINGS

BY THE COMMISSION:

By its application filed January 8, 1985, Sioux Valley Radio, Sioux City, Iowa seeks a Certificate of Public Convenience and Necessity to offer paging service at South Sioux City, Nebraska.

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 seeking authority to offer radio paging service, its application should be dismissed for lack of jurisdiction.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-568 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:

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

ATTEST:

John Burvick
Acting Executive Secretary