

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application	)	Application No. C-703
of Tracy Corporation II,	)	
Scottsbluff, Nebraska for auth-	)	DISMISSED
ority to revise certain portions	)	
of rates.	)	Entered: March 31, 1987

OPINION AND FINDINGS

BY THE COMMISSION:

By its application filed December 5, 1986, Tracy Corporation II, Scottsbluff, Nebraska seeks authority to revise certain portions of its rates.

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 a radio common carrier its application should be dismissed for lack of jurisdiction.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-703 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 F. Munnelly*  
//s//James F. Munnelly  
//s//Eric Rasmussen  
//s//Harold D. Simpson  
//s//Daniel G. Urwiller

ATTEST:

*John Savaris*  
Acting Executive Secretary