

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application)	Application No. C-712
of Telebeep, Inc., Norfolk,)	
Nebraska for approval of a certi-)	
ificate to provide paging and mobile) DISMISSED	
telephone service to subscribers in)	
Plainview, Osmond and Pierce,)	
Nebraska.)	Entered: March 31, 1987

OPINION AND FINDINGS

BY THE COMMISSION:

By its application filed January 27, 1987, Telebeep, Inc., Norfolk, Nebraska seeks a certificate to provide paging and mobile telephone service to subscribers in Plainview, Osmond and Pierce, 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 service, 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 and mobile radio service, its application should be dismissed for lack of jurisdiction and the public hearing now scheduled for April 2, 1987 should be cancelled.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-712 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 Burvanis
Acting Executive Secretary