

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-714
of Platte Valley Communications,)
Inc., Grand Island, Nebraska for) DISMISSED
the establishment of the tariff)
for the York area paging and)
mobile telephone service.) Entered: March 31, 1987

OPINION AND FINDINGS

BY THE COMMISSION:

By its application filed February 12, 1987, Platte Valley Communications, Inc., Grand Island, Nebraska, seeks authority to establish its tariff for the York area paging and mobile telephone service.

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 seeking approval of tariffs for mobile radio service and 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-714 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