

BEFORE THE
NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application)	Application No. C-784
of the Nebraska Public Service)	
Commission Communications Depart-)	
ment to revoke the InterLATA)	
interexchange long distance)	AUTHORITY REVOKED
resale authority of Vicom, Inc.,)	
Eden Prairie, Minnesota, a tele-)	
communications service provider.)	
) Entered: January 24, 1994	

BY THE COMMISSION

OPINION AND FINDINGS

By application filed November 23, 1993, the Communications Department (the "Staff") of the Nebraska Public Service Commission (the "Commission") by and through its Director, M. Gene Hand, petitioned the Commission to revoke the authority of Vicom, Inc. ("Vicom") of Eden Prairie, Minnesota; said authority was previously granted to Vicom December 19, 1989. The petition to revoke Vicom's authority was served November 23, 1993 by certified mail. Notice of the petition was published in the Omaha Daily Record November 24, 1993. Vicom did not file an answer to the petition. However, the file contains an October 20, 1993 letter from Vicom's Vice President and General Counsel, Steve Bell, stating that Vicom has never sold long distance traffic in Nebraska and has no plans to do so.¹

In its original order, the Commission granted Vicom authority to provide interLATA interexchange telecommunications services in Nebraska. As such, Vicom is a long distance "reseller" for purposes of regulation in Nebraska.

Vicom is a telecommunications common carrier generally regulated by the Commission pursuant to Neb. Rev. Stats. §75-101 et seq. (1990 Reissue) and §86-801 to 86-811 (Reissue 1987 and Comm. Supp. 1992). Resellers are also governed by Title 291 NAC Ch. 5, Rule 003.12 as found in the Com-

¹ Bell's letter was in response to an inquiry about marketing practices in Docket No. C-988/PI-7.

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mission's telecommunications rules and the Commission's rules of procedure found in Chapter 1 of Title 291.

Mr. Bell's October 20, 1993 letter makes clear that the company is not operating in Nebraska. Since Vicom has not operated in Nebraska nor responded to the petition to revoke, its certificate of public convenience and necessity is dormant and should be revoked.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the certificate of public convenience and necessity to provide interLATA interexchange telecommunications services in Nebraska previously issued to Vicom, Inc. in Application No. C-784 (December 19, 1989) be, and it is hereby, revoked.

MADE AND ENTERED at Lincoln, Nebraska this 24th day of January, 1994.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING

Duane D. Gay

//s//Rod Johnson

//s//Frank E. Landis, Jr.

//s//James F. Munnelly

Joan Landis
Chairman

ATTEST:

D. R. King
Executive Director