

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application	)	Departmental Complaint
of the Nebraska Public Service	)	No. 007
Commission Communications De-	)	Docket C-1078
partment seeking an order to	)	
cease and desist operations and	)	
to revoke the certificate of	)	
public convenience and necessity	)	ORDER TO DISMISS COMPLAINT
issued to the following	)	IN PART
Defendants:	)	
	)	
Amer-I-Net Services, CLM	)	
Associates, Convergent Comm.,	)	
LDDS Metromedia Comm., National	)	
Telephone & Comm., Payline	)	
Systems, Inc., Silverado Comm.	)	
Corp., Telegroup Inc., Tel-Save,	)	
Inc., UniDial, Inc., West Coast	)	
Telecommunications, Inc.	)	
DEFENDANTS.	)	

BY THE COMMISSION:

O P I N I O N   A N D   F I N D I N G S

The petition in the caption above was filed by the Communications Department (the "Department") of the Nebraska Public Service Commission (the "Commission") by and through its Director, M. Gene Hand, June 3, 1994. The Department petitioned the Commission to revoke the intrastate operating authority of the following telecommunications companies (the "Defendants") and that they be ordered to cease and desist from operating in Nebraska:

Ameri-I-Net Services Corp. (C-878, April 16, 1991);  
 CLM Associates (C-905, December 3, 1991);  
 Convergent Comm., Inc. (C-863, January 15, 1991);  
 LDDS Metromedia Comm. (C-1044, February 8, 1994);  
 National Telephone & Comm. (C-902, March 31, 1992);  
 Payline Systems, Inc. (C-792, May 30, 1990);  
 Silverado Comm. Corp. (C-889, July 16, 1991);  
 Telegroup, Inc. (C-981, June 30, 1993);  
 Tel-Save, Inc. (C-930, September 1, 1992);  
 UniDial, Inc. (C-1022, December 13, 1993); and  
 West Coast Telecomm., Inc. (C-973, June 16, 1993).

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The Defendants are telecommunications companies 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 Cum. Supp. 1992.) These companies are also governed by Title 291 NAC Ch. 5 of the Commission's telecommunications rules.

As part of its regulatory authority and pursuant to §86-807, the Commission through its Communications Department, requires telecommunications companies which file an annual report with a federal regulatory agency to file a copy of same with the Commission on or before the date on which said report is filed with the federal agency. Additionally, every carrier not required to file such a report with a federal agency is required to file an annual report with the Commission in a form prescribed on or before April 30 of each year.

In the case of each of the Defendants, no annual reports were filed for 1993 as of April 30, 1994. Except for West Coast Telecommunications, Inc., none of the Defendants had filed reports by the date of the petition. Each company was notified two times by first class mail that the annual report was due on or before April 30, 1994.

Since the petition was filed, five companies have complied with the reporting requirements previously described. Therefore, Amer-I-Net Services Corp., LDDS Metromedia Communications, National Telephone & Communications, UniDial, Inc. and West Coast Telecommunications, Inc. should be dismissed from this docket since the subject of the petition has finally been satisfied. However, we take this opportunity to strongly reprimand these companies for failing to comply with the Commission's Rules and Regulations. The lack of attention that was shown by these companies regarding the filing of 1993 reports will not be tolerated in the future. ~~Dismissals of this nature may not be granted to any of the Defendants in future proceedings.~~

#### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the departmental complaint filed against Amer-I-Net Services Corp., LDDS Metromedia Communications, National Telephone & Communications, and West Coast Telecommunications, Inc. in Docket No. C-1078 / Departmental Complaint No. 007 be, and it is hereby, dismissed as satisfied.

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MADE AND ENTERED at Lincoln, Nebraska this 27th day of  
June 1994.

NEBRASKA PUBLIC SERVICE COMMISSIONERS

COMMISSIONERS CONCURRING

//s//Duane D. Gay  
//s//Rod Johnson  
//s//James F. Munnelly  
//s//Daniel G. Urwiller

  
Vice Chairman

ATTEST:

  
Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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