

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.)	Entered: August 2, 1994

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).

Departmental Complaint No. 007
Docket No. C-1078

Page 2

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.

On June 27, 1994 an order was entered by the Commission dismissing the following defendants from the complaint: Amer-I-Net Services Corp., LDDS Metromedia Communications, National Telephone & Communications, UniDial, Inc. and West Coast Telecommunications, Inc.. These companies, after receiving notice of the pending departmental complaint, submitted the requisite information to the Commission.

Since June 27, 1994, the following defendants have come forward to submit an annual report to the Commission: Payline Systems, Inc., CLM Associates, and Telegroup Inc. Therefore, as the subject of the petition has also been satisfied by these defendants, they will also be dismissed from this docket.

Lastly, the conduct of all the defendants in this action is inexcusable. Each company was notified two times by first class mail that the annual report was due on or before April 30, 1994. Furthermore, this requirement is pointed out to all telecommunications companies annually, completely eliminating the possibility of ignorance. Not until the threat of revocation, did the above-mentioned companies comply with the Commission's Rules. This has needlessly consumed the Commission's time, as well as delayed staffs' efforts to compile this information for the Nebraska Legislature. The blatant lack of attention demonstrated by these companies regarding simple rules will not be tolerated in the future. Dismissals of this nature may not be granted to any of the Defendants in future proceedings.

Departmental Complaint 007
Docket No. C-1078

Page 3

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the departmental complaint filed against CLM Associates, Payline Systems, Inc. and Telegroup Inc. in Docket No. C-1078 / Departmental Complaint No. 007 be, and it is hereby, dismissed as satisfied.

MADE AND ENTERED at Lincoln, Nebraska this 2nd day of August 1994.

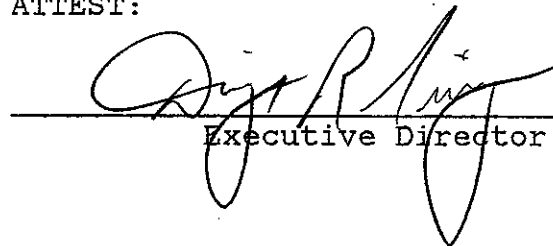
NEBRASKA PUBLIC SERVICE COMMISSIONERS

COMMISSIONERS CONCURRING:

//s//Duane D. Gay
//s//Rod Johnson
//s//Frank E. Landis
//s//James F. Munnelly


Chairman

ATTEST:


Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
