

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) Application No. C-1207
of the Nebraska Public Service Com-)
mission Communications Department)
seeking an order to cease and desist)
operations and to revoke the certifi-)
cates of public convenience and ne-)
cessity issued to the following)

Defendants:)

American Telecommunications Enter-)
prise, American Telephone Network,) ORDER TO DISMISS
Inc., Calls for Less, Inc., Communi-) COMPLAINT IN PART
cations Gateway, ComTel Computers,)
Excel Telecommunications, Global Wats)
One, Inc., IDT America Corporation,)
Inmate Phone Systems, Inc., National)
Telephone & Communications, Nebraska)
Wesleyan, NOSVA Limited Partnership,)
Petracom Corporation, Premier Billing)
Services, Inc., Quest Telecommunica-)
tions, Inc., TELNET Communications,)
Inc., Total Tel USA Communications,)
Universal Network Services-Nebraska) Entered: July 6, 1995

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 is filed by the Communi-
cations Department (the "Department") of the Nebraska Public
Service Commission (the "Commission") by and through its
Director, M. Gene Hand, on July 6, 1995. 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:

American Telecommunications Enterprise, Inc.; C-1051
American Telephone Network, Inc.; C-935
Calls for Less, Inc.; C-1115
Communications Gateway; C-940
ComTel Computers; C-806
Excel Telecommunications; C-885
Global Wats One, Inc.; C-1057
IDT America Corporation; C-1112
Inmate Phone Systems, Inc.; C-971
National Telephone & Communications; C-902
Nebraska Wesleyan; C-939
NOSVA Limited Partnership; C-1062
Petracom Corporation; C-1049

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Premier Billing Services, Inc.; C-1002
Quest Telecommunications, Inc.; C-1041
TELNET Communications, Inc.; C-921
Total Tel USA Communications; C-1098
Universal Network Services - Nebraska; C-1113

The defendants are telecommunications companies generally regulated by the Commission pursuant to Neb. Rev. Stats. § 75-101 et seq. (1994 Cum. Supp.) and § 86-801 to 86-11 (Reissue 1994). These companies are also governed by Title 291, NAC Ch. 5 of the Commission's Rules and Regulations.

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 agency to file a copy of same report with the Commission on or before the date on which said report is filed with the federal agency. Every such company not required to file such a report with a federal agency shall file an annual report with the Commission in a form prescribed on or before April 30 of each year.

In the case of the defendants, proper and complete annual reports have not been filed for 1994, as of the date of this petition. Each company was notified by the staff two times by first class mail, January 10 and May 5, 1995, that the annual report was due. None of the defendants had filed a report by the date of the petition.

Since the petition was filed, six companies have hence complied with the reporting requirements previously described. Therefore,

Calls For Less, Inc.
Excel Telecommunications
IDT America Corporation
National Telephone and Communications
Nebraska Wesleyan and
Totaltel USA Communications

should be dismissed from this docket since the subject of the petition has been satisfied. We take this opportunity to warn these companies that the Commission will not continually accept such late filed reports. If similar disregard is given the annual report due in 1996, such a dismissal may not be permitted.

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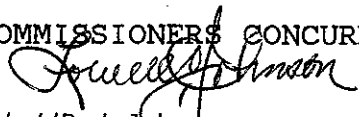
O R D E R

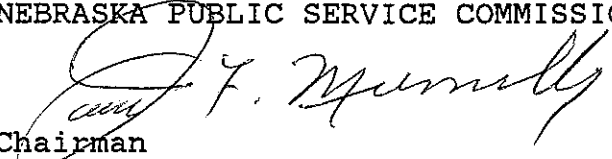
IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the departmental complaint filed against Calls For Less, Excel, IDT America, National Telephone, Nebraska Wesleyan and Totaltel USA in Docket C-1207 / Departmental Complaint 015, be and it is hereby, dismissed as satisfied.

MADE AND ENTERED at Lincoln, Nebraska this 31st day of July, 1995.

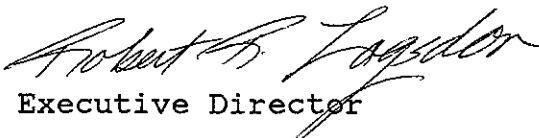
NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


//s//Rod Johnson
//s//Frank E. Landis
//s//James F. Munnelly


Vice Chairman

ATTEST:


Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
