

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 ) PETITION TO REVOKE  
seeking an order to cease and desist ) OPERATING AUTHORITIES  
operations and to revoke the certifi- ) AND CEASE AND DESIST  
cates of public convenience and ne- ) OPERATIONS IN NEBRASKA  
cessity issued to the following )  
Defendants: )  
 ) 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 Communications Department (the "Department") of the Nebraska Public Service Commission (the "Commission") by and through its Director, M. Gene Hand, and petitions the Commission to revoke the intrastate operating authority of the following telecommunications companies (the "Defendants"):

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  
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

It its original order in Application No. C-1051, the Commission granted American Telecommunications Enterprise, Inc. authority to operate as a resale carrier of intrastate inter-LATA interexchange telecommunications services in Nebraska. As such, American Telecommunications Enterprise, Inc. is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-935, the Commission granted American Telephone Network, Inc. authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, American Telephone Network, Inc. is a telecommunications company for purposes of regulation in Nebraska.

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It its original order in Application No. C-1115, the Commission granted Calls For Less, Inc. authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, Calls For Less, Inc. is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-940, the Commission granted Communications Gateway Network, Inc. authority to operate as a resale carrier, of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, Communications Gateway Network, Inc. is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-806, the Commission granted ComTel Computer Corporation authority to operate as a resale carrier of intrastate interLATA interexchange telecommunications services in Nebraska. As such, ComTel Computer Corporation is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-885, the Commission granted Excel Telecommunications, Inc. authority to operate as a resale carrier of intrastate interLATA interexchange telecommunications services in Nebraska. As such, Excel Telecommunications, Inc. is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-1057, the Commission granted Global Wats One, Inc. authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, Global Wats One, Inc. is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-1112, the Commission granted IDT America Corporation authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, IDT America Corporation is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-971, the Commission granted Inmate Phone Systems Corporation authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, Inmate Phone Systems Corporation is a telecommunications company for purposes of regulation in Nebraska.

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It its original order in Application No. C-902, the Commission granted National Telephone and Communications authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, National Telephone and Communications is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-939, the Commission granted Nebraska Wesleyan University authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, Nebraska Wesleyan University is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-1062, the Commission granted NOSVA, L.P. authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, NOSVA, L.P. is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-1049, the Commission granted Petracom Corporation authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, Petracom Corporation is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-1002, the Commission granted Premier Billing Services, Inc. authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, Premier Billing Services, Inc. is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-1041, the Commission granted Quest Telecommunications, Inc. authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, Quest Telecommunications, Inc. is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-921, the Commission granted TELNET Communications, Inc. authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, TELNET Communications, Inc. is a telecommunications company for purposes of regulation in Nebraska.

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It its original order in Application No. C-1098, the Commission granted Total Tel USA Communications, Inc. authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, Total Tel USA Communications, Inc. is a telecommunications company for purposes of regulation in Nebraska.

It its original order in Application No. C-1113, the Commission granted Universal Network Services of Nebraska authority to operate as a resale carrier of intrastate interLATA and intraLATA interexchange telecommunications services in Nebraska. As such, Universal Network Services of Nebraska is a telecommunications company for purposes of regulation in Nebraska.

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 5 and May 5, 1995, that the annual report was due. None of the defendants responded with a report satisfying the Commission's requirements.

We take this opportunity to note that the following defendants have completely ignored the Commission's requests for 1994 annual reports. No telephone calls were made or letters submitted to the Commission from the following companies regarding the 1994 annual report.

American Telephone Network  
Calls For Less  
Communications Gateway  
ComTel Computers  
Excel Telecommunications  
IDT American Corp.

Nebraska Wesleyan Univ.  
Petracom Corp.  
Premier Billing Services  
Quest Telecommunications  
TELNET Communications  
Total Tel USA Communications  
Universal Network Services

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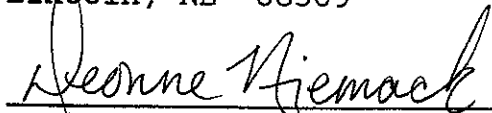
The defendant's are regulated telecommunications companies operating in Nebraska, and as such are subject to the Commission's jurisdiction and the statutes and rules established by the Legislature and the Commission to regulate them in the public interest. One of the basic regulatory requirements is that companies with the status of the defendants file an annual report on or before April 30 of each year.

Based on the failure of the defendant's to file the required annual report and each company's disregard of the requests to do so by the staff, each defendant's certificate of authority should be revoked and each company ordered to cease and desist operations in Nebraska.

WHEREFORE, the Department petitions this Commission to set this matter for hearing after Defendants have answered this departmental complaint and then revoke each certificate of authority previously issued to:

American Telecommunications Enterprise, Inc.  
American Telephone Network, Inc.  
Calls for Less, Inc.  
Communications Gateway  
ComTel Computers  
Excel Telecommunications  
Global Wats One, Inc., (now known as Global Telemedia)  
IDT America Corporation  
Inmate Phone Systems  
National Telephone & Communications  
Nebraska Wesleyan  
NOSVA Limited Partnership  
Petracom Corporation  
Premier Billing Services, Inc.  
Quest Telecommunications, Inc.  
TELNET Communications, Inc.  
Total Tel USA Communications  
Universal Network Services - Nebraska

  
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SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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