

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of ) Application No. C-1332  
the Nebraska Public Service ) DC-19  
Commission Communications Department )  
seeking an order to cease and desist ) PETITION TO REVOKE  
operations and to revoke the certi- ) OPERATING AUTHORITIES  
ficates of public convenience and ) AND CEASE AND DESIST  
necessity issued to the defendants ) OPERATIONS IN NEBRASKA  
named below. )  
 ) Entered: May 3, 1996

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"):

ACC National Long Distance; C-1123  
Alternate Communications Tech.; C-894  
American Teletronics LD; C-943  
American TelGroup, Inc.; C-1241  
AmeriVision Communications; C-947  
Caribbean Telephone, Inc.; C-1203  
Capital Network System, Inc.; C-1037  
Central Payphones Services; C-1193  
Century Telecomm, Inc.; C-1229  
Clear Choice Comm. Inc.; C-1158  
Corporate Telemanagement; C-932  
Dial & Save of Nebraska; C-1154  
Equal Net Communications; C-986  
GSTNET, Inc. d/b/a/ITG; C-1226  
GlobeNet Communications Ltd.; C-1174  
Great Lakes Telecommunications; C-1137  
GTE TSI; C-1070  
IDT America Corporation; C-1112  
InTeleCom, Inc.; C-1268  
InVision Telecom, Inc.; C-1208  
LDDS Metromedia Communications/WorldCom; C-1238  
LDD, Inc.; C-1184  
Lubbock Radio Paging; C-942  
Metropolitan Fiber Systems-NE; C-1092  
MFS Intelenet of Nebraska; C-1076  
Mid-Com Communications; C-924  
MTC Telemanagement Corp.; C-1185  
Network Services, Inc.; C-795  
NOSVA Limited Partnership; C-1062  
One to One Communications; C-1120

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Pegasus Informations Systems, Inc.; C-944  
PowerNet Communications, Inc.; C-1151  
QAI, Inc. d/b/a Long Distance Billing; C-1240  
Smartel Communications, Inc.; C-1134  
Teledial America, Inc.; C-1271  
Telegroup, Inc.; C-981  
Tele-Trend Communications, Inc.; C-1053  
TelTrust Communications; C-1102  
TotalTel USA Comm.; C-1098  
Touchtone Network, Inc.; C-1117  
Trans National Comm.; C-913  
Universal Network Svs. of Nebraska; C-1113  
WATS/800 Inc.; C-901  
Wats International Corp.; C-1135  
World Call Telecom/West Coast Tel.; C-1069  
WilTel, Inc./WorldCom; C-1160  
WorldTel Services, Inc.; C-964  
and XIEEX; Telecommunications, Inc. C-1124

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 86-811 (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 the 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 1995, as of the date of this petition. Each company was notified by the staff two times by first class mail, January 5, 1996 and April 1, 1996, that the annual report was due. None of the defendants responded with a report satisfying the Commission's requirements.

The defendants 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


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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 defendants to file the required annual report and each company's disregard of the requests to do so, each defendant's certificate of authority should be revoked and each company ordered to cease and desist operation 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 the above named defendants.

  
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# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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