

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1539/DC-20
of the Nebraska Public Service)
Commission Communications Depart-)
ment seeking an order to cease) DISMISSED IN PART
and desist operations and to re-) SUSTAINED IN PART
voke the certificates of public)
convenience and necessity issued)
to the named defendants.) Entered: August 5, 1997

BY THE COMMISSION:

By petition dated May 12, 1997, the Communications Department (the Department) of the Nebraska Public Service Commission (the Commission) opened this docket requesting the Commission to revoke the intrastate operating authority of various defendants for failure to file annual reports pursuant to Neb. Rev. Stat. 86-807 (Reissue 1994).

On June 4, 1996, the complaint was sustained against all defendants; however, defendants were given the option to negotiate a settlement in order to be dismissed from the complaint. A hearing was held July 8, 1997, in the Commission Hearing Room for defendants that did not reach a settlement with the staff. No defendant made an appearance at the hearing.

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

Being fully advised in the premises, the Commission is of the opinion and finds:

The defendants are telecommunications companies generally regulated by the Commission pursuant to Neb. Rev. Stats. 75-101 et seq. (Reissue 1996) and 86-801 to 86-811 (Reissue 1994). These companies are also governed by Title 291, NAC Ch. 1 and 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 all certificated telecommunications companies to file an annual report with the Commission on or before April 30th of each year. The defendants were notified on two occasions of such filing requirement by first class mail on January 10 and April 1, 1997.

The defendants named herein failed to comply with the mandates of 86-807. Therefore, this Commission, pursuant to the legislative authority granted in 75-128, may administratively fine all such companies, after notice and public hearing, or revoke the certificates of public convenience and necessity issued to the defendants.

Application No. C-1539
Departmental Complaint 20

PAGE TWO

Several defendants responded to the complaint by remitting an annual report and a signed stipulation. Such parties were dismissed from the complaint prior to date of this Order. We find the following defendants have recently complied with the statutory requirements and therefore should be dismissed from this complaint:

American Telecommunications Enterprise, Inc.
Athena International, LLC
Econophone, Inc.
Equal Net Corp.
Invision Telecom, Inc.
LDM Systems, Inc.
Telscape USA, Inc.
Trans National Communications, Inc.
US Wats, Inc.

We note the defendant, Equal Net Corp. of Houston, Texas, is an intrastate interexchange company operating within Nebraska. Due to a name change in 1996, the company was inadvertently omitted from the Commission's certification list. Equal Net submitted an administrative fine and stipulation in this complaint and accordingly, the company is reinstated to operate in Nebraska.

The following defendants in this matter filed an annual report once the petition was entered; however, they did not sign a stipulation nor pay an administrative fine. Accordingly, we find the Certificates of Public Convenience and Necessity issued to the following defendants should be revoked:

American Teletronics Long Distance, Inc.; C-943
Business Options, Inc.; C-1319
Central Payphones Services, Inc.; C-1193
MetroLink Communications, Inc.; C-1299/C-1401
Quest Telecommunications, Inc.; C-1041
Total Communications Service, Inc. dba Simply Total
Communications; C-1258
TotalTel USA Communications, Inc.; C-1098
Uni-Net d/b/a Universal Network Services of Nebraska,
Inc.; C-1323

Application No. C-1539
Departmental Complaint 20

PAGE THREE

The remaining defendants in this matter have not filed an annual report and have not negotiated a settlement. Accordingly, we find the Certificates of Public Convenience and Necessity issued to the following defendants should also be revoked:

AIS Telecommunications Services, Inc.; C-1075
American Telephone Network, Inc.; C-935
Business Network Comm., Inc.; C-1211
Cherokee Communications, Inc.; C-996
Common Concerns; C-1358
Free Plus Calling, Inc.; C-1296
GTN Corporation dba Global Telecom Network; C-1318
Hi-Rim Communications, Inc.; C-1231
Key Communications Management, Inc. dba Discount Plus; C-1256
Landmark Communications Company, Inc.; C-966
Petracom Corporation; C-1049
Polar Communications Corp.; C-1119
Preferred Telecom, Inc.; C-1302
Primus Telecommunications, Inc.; C-1398
Scherers Communications Group, Inc.; C-1388
TeleCard Svcs. International, Inc.; C-1403
World Telecom Group, Inc.; C-1186
WorldTel Services, Inc.; C-964

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that American Telecommunications Enterprise, Inc.; Athena International, LLC; Econophone, Inc.; Equal Net Corp.; Invision Telecom, Inc.; LDM Systems, Inc.; Telscape USA, Inc.; Trans National Communications, Inc.; and US Wats, Inc. are dismissed from the departmental complaint.

IT IS FURTHER ORDERED that the Certificates of Public Convenience and Necessity issued to AIS Telecommunications Services, Inc.; American Telephone Network, Inc.; American Teletronics Long Distance, Inc.; Business Network Comm., Inc.; Business Options, Inc.; Central Payphones Services, Inc.; Cherokee Communications, Inc.; Common Concerns; Free Plus Calling, Inc.; GTN Corporation dba Global Telecom Network; Hi-Rim Communications, Inc.; Key Communications Management, Inc. dba Discount Plus; Landmark Communications Company, Inc.; MetroLink Communications, Inc.; Petracom Corporation; Polar Communications Corp.; Preferred Telecom, Inc.; Primus Telecommunications, Inc.; Quest Telecommunications, Inc.; Scherers Communications Group, Inc.; TeleCard Svcs. International, Inc.; Total Communications Service, Inc. dba Simply Total Communications; TotalTel USA Communications, Inc.;

Application No. C-1539
Departmental Complaint 20

PAGE FOUR

Uni-Net d/b/a Universal Network Services of Nebraska, Inc.;
World Telecom Group, Inc. and WorldTel Services, Inc. be, and
they are hereby, revoked.

MADE AND ENTERED at Lincoln, Nebraska, this 5th day of
August, 1997.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



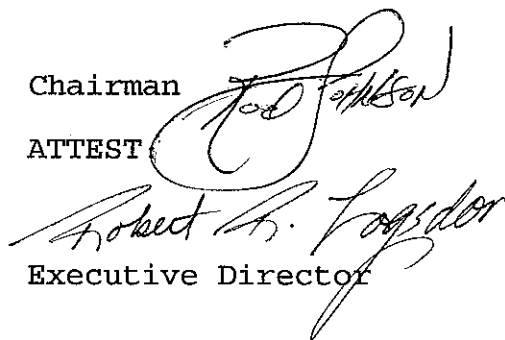
//s//Rod Johnson

//s//Frank E. Landis

//s//Daniel G. Urwiller

Chairman

ATTEST



Executive Director