

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	)	Reconsideration Motion
and desist operations and to re-	)	Sustained
voke the certificates of public	)	
convenience and necessity issued	)	
to the named defendants.	)	Entered: August 26, 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. On August 5, 1997, the Commission entered an order revoking the operating authority of several defendants.

Motions requesting reconsideration of the Commission's August 5, 1997, order have been made by several companies asking that their Certificate of Public Convenience and Necessity be reinstated.

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

American Teletronics Long Distance, Inc., Quest Telecommunications, Inc. and TotalTel USA Communications, Inc. have asked this Commission to reconsider its order entered August 5, 1997, since the requisite information has been submitted to the Commission.

These companies failed to comply with our statutory requirements for nearly four months. It was not until their Certificates of Public Convenience and Necessity were revoked that these defendants fully complied with Nebraska statutes. This behavior is unacceptable. Should any defendant named herein submit a late annual report in the future, a negotiated administrative fine settlement may not be presented as an option.

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Nonetheless, as the above-mentioned parties have filed annual reports, paid the applicable administrative fines, and have signed stipulations admitting to fault, we find the certificates previously issued to these companies should be reinstated.



O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Certificates of Public Convenience and Necessity previously issued to American Teletronics Long Distance, Inc., Quest Telecommunications, Inc. and TotalTel USA Communications, Inc. are reinstated.

MADE AND ENTERED at Lincoln, Nebraska, this 26th day of August, 1997.

COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE COMMISSION


  


//s//Rod Johnson  
//s//Frank E. Landis  
//s//Daniel G. Urwiller

Chairman



ATTEST:

  
Executive Director