

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of ) Application No. C-1539  
the Nebraska Public Service ) DC-20  
Commission Communications Department )  
seeking an order to cease and desist ) Complaint Dismissed  
operations and to revoke the certi- ) In Part  
ficates of public convenience and )  
necessity issued to AIS Telecommuni- )  
cations Services, Inc., et. al. ) Entered: June 4, 1997

BY THE COMMISSION

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

The complaint in caption seeks an order revoking the intrastate operating authority of each of the defendants for failing to file an annual report pursuant to Neb. Rev. Stat. 86-807 (Reissue 1994).

A copy of the complaint was mailed to each defendant via certified mail.

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 to file an annual report with the Commission on or before April 30th of each year.

The defendants were notified by the department two times by first class mail that the annual report was due on or before April 30, 1997. The first letter was dated January 10, 1997 and the second April 1, 1997.

The Commission finds that a number of the defendants did in fact satisfy the filing requirements and were included in the complaint in error. The following defendants should thus be administratively dismissed from the complaint:

Capital Network System, Inc.	Intelicom International Corp.
Group Network Service, Inc.	New Telco L.P. (TCG Omaha)
Rural/Metro Medical Services	Touch 1, Inc.
VIP Telephone Network, Inc.	Westinghouse Communications
World Call Telecom/West Coast Tel.	

Application No. C-1539/DC-20

PAGE TWO

Furthermore, a number of defendants satisfied the requirements within a reasonably acceptable time frame, considering uncontrollable delays in actual delivery. Therefore the following defendants should be granted leniency and also be dismissed from the complaint:

Excel Telecommunications, Inc.	AMNEX
Intellical Operator Services, Inc.	Business Telecom, Inc.
Pegasus Information System, Inc.	Easton Telecom Svcs. Inc.
Professional Comm. Mgmt. Svcs.	Host Network, Inc.
North American InTeleCom, Inc.	USA Global Link, Inc.
Starlink Communications LLC	VarTec Telecom, Inc.
Long Distance Services, Inc.	

In addition, the following defendants have signed a stipulation with the department wherein each defendant admits to filing its report late and agrees to pay an administrative fine to dismiss the departmental complaint. The signed stipulations are satisfactory and the following defendants should be dismissed from this complaint:

Colorado River Communications Corp.	Calls for Less, Inc.
GSTNet, Inc. dba ITG	Amer-I-Net Services
TelTrust Communications Services	Atlas Communications
Winstar Wireless of Nebraska	POPP Telecom, Inc.
Shared Communications Svcs., Inc.	Transcommunications, Inc.

The companies listed in the preceding paragraph should be aware that this Commission will not tolerate similar behavior in 1998 regarding the filing of the 1997 report. If reports are not submitted on or before April 30, 1998, the option of resolving the complaint through a stipulation will be closely scrutinized. All companies that have agreed to such a stipulation will be considered a willful violator and be subject to the maximum penalty allowed.

The above-named defendants have complied with the provisions of Neb. Rev. Stat. 86-807 (Reissue 1994) and have satisfactorily remitted an annual report for the year 1996; therefore, those defendants should all be dismissed from this complaint and should not be required to appear before the Commission for a hearing on July 8, 1997.

Application No. C-1539/DC-20

PAGE THREE

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that all defendants who have not signed a stipulation on or before July 1, 1997, are to appear before the Commission for a public hearing on July 8, 1997 at 1:30 p.m. in the Commission Hearing Room, Lincoln, Nebraska.

IT IS FURTHER ORDERED that any defendant who has filed a satisfactory annual report may execute a stipulation with the department, similar to that offered by the above-named companies for dismissal.

IT IS FURTHER ORDERED that Capital Network System, Inc., Intelicom International Corp., Group Network Service, Inc., New Telco L.P. (TCG Omaha), Rural/Metro Medical Services, Touch 1, Inc., VIP Telephone Network, Inc., Westinghouse Communications, World Call Telecom/West Coast Tel., Excel Telecommunications, Inc., AMNEX, Intellical Operator Services, Inc., Business Telecom, Inc., Pegasus Information System, Inc., Easton Telecom Svcs. Inc., Professional Comm. Mgmt. Svcs., Host Network, Inc., North American InTeleCom, Inc., USA Global Link, Inc., Starlink Communications LLC, VarTec Telecom, Inc., Long Distance Services, Inc., Colorado River Communications Corp., Calls for Less, Inc., GSTNet, Inc. dba ITG, Amer-I-Net Services, TelTrust Communications Services, Atlas Communications, Winstar Wireless of Nebraska, POPP Telecom, Inc., Shared Communications Svcs., Inc. and Transcommunications, Inc. be, and they are hereby, dismissed from the departmental complaint and need not appear at the July 8, 1997 hearing.

MADE AND ENTERED at Lincoln, Nebraska, this 4th day of June, 1997.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONER CONCURRING:



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

Chairman



ATTEST:

  
Executive Director

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

---