

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1810/DC-25
of the Nebraska Public Service)
Commission Communications Depart-)
ment seeking an order to cease) SUSTAINED IN PART
and desist operations and to re-)
voke the Certificates of Public)
Convenience and Necessity issued)
to the named defendants.) Entered: August 11, 1998

BY THE COMMISSION:

By petition dated May 13, 1998, the Communications Department (Department) of the Nebraska Public Service Commission (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. Section 86-807 (Reissue 1994). Defendants were given the option to negotiate a settlement by submitting an annual report and signing a stipulation with the Department wherein each defendant admits to filing its annual report late and agrees to pay an administrative fine to dismiss the departmental complaint. A hearing was held August 4, 1998, in the Commission Hearing Room for defendants that did not reach a settlement with the Department. 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. Stat. Section 75-101 et seq. (Reissue 1996) and Sections 86-801 to 86-811 (Supp. 1997). 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 Section 86-807, the Commission, through its 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 12, 1998, and April 1, 1998.

The defendants named herein failed to comply with the mandates of Section 86-807. Therefore, this Commission, pursuant to the legislative authority granted in Section 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.

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Several defendants responded to the complaint by submitting an annual report, signing an stipulation, and paying an administrative fine. Such parties were dismissed from the complaint prior to the date of this order.

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:

Capitol City Telephone, Inc.
JD Services, Inc.
Long Distance Direct Holdings, Inc.
Professional Communications Management Services, Inc.
QCC, Inc.
TelSave Corporation/Independent Network Services
United Services Telephone, LLC

We note that the defendant Long Distance Direct Holdings, Inc. held certificates as both a competitive local exchange carrier and an interexchange carrier. Consequently, both of these certificates are now revoked.

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:

Advanced Telecom. Network, Inc.
Amer-I-Net Services Corp.
Athena International, LLC
Inmate Phone Systems Corp.
LDD, Inc.
Minimum Rate Pricing, Inc./Parcel Consultants
NENTEL, Inc./Northwest Communications, Inc.
Network Services Telecommunications/The Phonco
New Telco, L.P.
Overlook Communications Int'l Corp.
Providian Group, LLC
Trans National Communications, Inc.
XIEX Telecommunications, Inc.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the certificates of public convenience and necessity issued to Advanced Telecom. Network, Inc.; Amer-I-Net Services Corp.; Athena International, LLC; Capitol City Telephone, Inc.; Inmate Phone Systems Corp.; JD Services, Inc.;

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LDD, Inc.; Long Distance Direct Holdings, Inc.; Minimum Rate Pricing, Inc./Parcel Consultants; NENTEL, Inc./Northwest Communications, Inc.; Network Services Telecommunications/The Phonco; New Telco, L.P.; Overlook Communications Int'l Corp.; Professional Communications Management Services, Inc.; Providian Group, LLC; QCC, Inc.; TelSave Corporation/Independent Network Services; Trans National Communications, Inc.; United Services Telephone, LLC; and XIEX Telecommunications, Inc. be, and they are hereby, revoked.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of August, 1998.

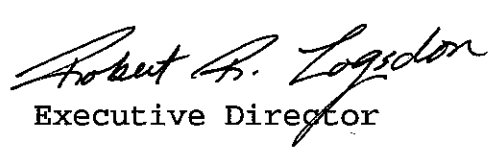
COMMISSIONERS CONCURRING:

//s//Lowell C. Johnson
//s//Frank E. Landis
//s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
