

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1987
of America One Communications,)
Inc. of Vienna, Virginia,)
seeking to obtain a Certificate)
of Public Convenience and) CERTIFICATE CANCELED
Necessity as a reseller of)
interexchange telecommunications)
services within the state of)
Nebraska.) Entered: June 14, 2000

BY THE COMMISSION:

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

On March 9, 1999, pursuant to Application No. C-1987, America One Communications, Inc. (America One) of Vienna, Virginia, was granted authority to operate as a resale carrier of interexchange telecommunications services in Nebraska.

America One, in a letter dated May 25, 2000, requests that their certificate be canceled. America One does not currently provide service in Nebraska and has no customers within the state, therefore, no Nebraska consumers will be impacted by the cancellation of America One's certificate. The Commission is of the opinion that America One's request should be honored and its certificate should be canceled.

The Commission notes that America One has been named as a defendant in Docket No. C-2292/DC-33 because of its failure to file an annual report for the year ending December, 1999. Carriers that do not file an annual report with the Commission prior to May 1 of each year are subject to having their certificates revoked. The cancellation today of America One's certificate spares it the ignominy of having its certificate involuntarily revoked by the Commission for failing to comply with Commission rules and regulations, despite the fact that America One still has not filed an annual report and in fact declares that it will not file an annual report for the year 1999. The Commission frowns upon such skirting of our rules, whatever America One's intentions are; however, our precedents calling for the granting of a carrier's request to surrender its certificate, in the absence of any intervening parties or other legitimate rational for denial, oblige us to approve America One's request.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the certificate of operating authority previously issued in Application No. C-1987 to America One Communications, Inc. be, and it is hereby, canceled.

MADE AND ENTERED at Lincoln, Nebraska, this 14th day of June, 2000.

COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE COMMISSION

Robert G. Johnson

John Sauer
Chairman

Anne C. Boyle

ATTEST:

Frank E. Landis

Robert R. Logsdon
Executive Director

//s//Frank E. Landis