

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-2139  
of LoTel, Inc., d/b/a Coordinated )  
Billing Services of Bloomington, )  
Minnesota, seeking authority to ) DISMISSED  
obtain a Certificate of Public )  
Convenience and Necessity to )  
resell telecommunications services )  
in Nebraska. ) Entered: September 6, 2000

BY THE COMMISSION:

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

On October 12, 1999, an application was filed by LoTel, Inc., d/b/a Coordinated Billing Services (LoTel) of Bloomington, Minnesota, seeking authority to obtain a Certificate of Public Convenience and Necessity to resell telecommunications services in Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on October 14, 1999.

The Commission's Telecommunications Rules and Regulations (Title 291, Chapter 5, Rule 003.12A15) require that applications for interexchange service contain a copy of the applicant's last three annual financial statements, and that the statements be certified by an independent certified public accountant. The application filed October 12, 1999 did not contain evidence which satisfied this rule.

Since the filing of the application, Commission staff has made contact with the applicant on a number of occasions, requesting sufficient financial documents upon which a judgment could be made as to the applicant's financial abilities to provide service in Nebraska. On December 10, 1999, Commission staff sent a letter to the applicant detailing the application's deficiencies. In response, by letter dated January 3, 2000, the applicant requested an additional 45 days in which to provide the requested information. Today, following additional requests made by Commission staff and following a length of time far exceeding 45 days, the applicant has yet to comply. The Commission finds that due to the lack of attention and commitment to the application exhibited by the applicant, the application should be dismissed.

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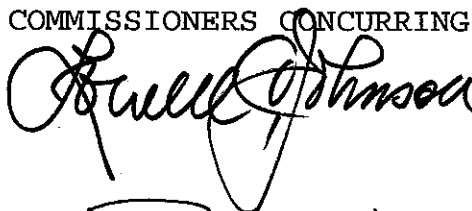
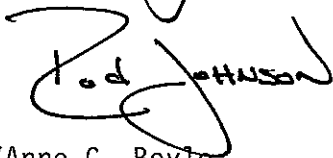
O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2139 be, and it is hereby, dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 6th day of September, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chairman

ATTEST:

//s//Anne C. Boyle  
//s//Frank E. Landis  
//s//Daniel G. Urwiller

  
Executive Director