

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2175
of Xtracom, Inc. of Chicago,)
Illinois, seeking authority to)
operate as a resale carrier of) DISMISSED WITH PREJUDICE
intrastate interLATA and intra-)
LATA telecommunications services)
within the state of Nebraska.) Entered: February 15, 2000

BY THE COMMISSION:

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

By order entered December 15, 1999, the Commission opened this docket, in which Xtracom, Inc. (Xtracom or Applicant) of Chicago, Illinois, seeks authority to operate as a resale carrier of intrastate interLATA and intraLATA telecommunications services in the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on December 22, 1999.

In the December 15, 1999 "Order Opening Docket and Setting Hearing," the Commission described the lengthy past history of exchanges between this Commission and the applicant, including the lack of cooperation by the applicant in providing this Commission with information and documents requested by the Commission, and in some instances, required by law to be filed with the Commission. These characteristics of the applicant led to the order that "if all requisite information ... is not received by this Commission by the close of the business day of February 4, 2000, the Commission reserves the right to dismiss this application with or without prejudice." December 15, 1999, Order at Page 3.

Since the filing of this application, Xtracom has once again failed to provide this Commission with any requested information by the deadline imposed by the December 15th order. More importantly, Xtracom has failed to demonstrate any desire to cooperate with this Commission and has failed to demonstrate any respect for Commission authority. This Commission has provided ample opportunity to the applicant to satisfy the steps required to operate within the state of Nebraska. Xtracom's failure to remain a carrier in good standing with this Commission is due solely to their own failures. We find that Xtracom's application should be dismissed with prejudice.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2175 be, and it is hereby, dismissed with prejudice.

IT IS FURTHER ORDERED that the order entered against Xtracom, Inc. on August 10, 1999, requiring Xtracom to cease and desist operations in the state of Nebraska remains in full force and effect.

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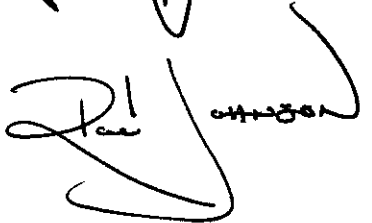
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MADE AND ENTERED at Lincoln, Nebraska, this 15th day of February, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chairman

ATTEST:


Executive Director

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