

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Application No.C-3559/DC-72
Public Service Commission, on)	
its own motion, to collect and)	ORDER REOPENING DOCKET AND
review the 2005 Annual Reports)	DISMISSING DEFENDANT
required to be filed with the)	
Commission pursuant to Nebraska)	
Revised Statute §86-159.)	Entered: October 3, 2006
)	

BY THE COMMISSION:

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

By Petition filed on March 7, 2006, the Communications Department (Department) of the Nebraska Public Service Commission (Commission) opened this docket to collect and review the 2005 Annual Reports required pursuant to Neb. Rev. Stat. § 86-159 (2004 Cum. Supp.). All interexchange carriers (IXCs) and competitive local exchange carriers (CLECs) who had not timely filed annual reports with the Commission were named as defendants.

On September 12, 2006, the Commission entered an order assessing fines and revoking the certificates of public convenience and necessity for several carriers, including CenturyTel Long Distance, Inc. (CenturyTel). On September 19, 2006, the Commission entered an order assessing a fine against and revoking the certificate of public necessity for the final defendant and closing the docket.

It was subsequently discovered that CenturyTel previously petitioned the Commission for cancellation of its certificate. CenturyTel's request was granted by the Commission on April 4, 2006 in Docket No. C-3552. Therefore, CenturyTel should not have been included in the complaint filed by the Department.

The Commission, therefore, finds that the present docket should be reopened for the sole purpose of modifying the September 12, 2006 order with respect to CenturyTel. The Commission further finds that no fines should have been assessed against CenturyTel, that CenturyTel had no certificate to revoke at the time of the Order, and that CenturyTel should have been dismissed from the Complaint.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the present docket be reopened for the sole purpose of amending the September 12, 2006 order with respect to CenturyTel Long Distance, Inc.

IT IS FURTHER ORDERED that the September 12, 2006 order be amended to reflect that CenturyTel Long Distance is hereby dismissed from the complaint without assessment of fines or revocation.

IT IS FINALLY ORDERED that the docket be and is hereby closed.

MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of October, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director