

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Nebraska Public) Application No. C-3925/DC-75
Service Commission Communica-)
tions Department, regarding the)
2007 Annual Report filings.) ORDER TO SHOW CAUSE
)
) Entered: October 7, 2008

BY THE COMMISSION:

By Complaint dated May 20, 2008, Maurice Gene Hand, Director of the Communications Department of the Nebraska Public Service Commission ("Commission") (hereinafter "Complainant") filed a Complaint against the certain certificated telecommunications carriers (hereinafter "Respondents") alleging that said carriers failed to timely file an annual report pursuant to *Neb. Rev. Stat. § 86-159* (2006 Cum. Supp.).

A copy of the Complaint was mailed to the Respondents, by certified mail, on May 20, 2008. On May 20, 2008, the Commission entered a Show Cause Order seeking administrative fines and revocation of the Respondents certificates of authority and setting this matter for hearing. A hearing was held in the Commission Hearing Room, Lincoln, Nebraska on August 19, 2008 at 1:30 p.m. Nichole Underhill entered an appearance on behalf of the Commission staff. The remaining Respondents that had not stipulated and settled this matter as per Commission policy, namely Congnigen Networks, Inc., Epixtar Communications Corp., New Century Telecom, Inc., Telecentrex, LLC, V-Global Communications, LLC, and Yak Communications (America), Inc. failed to enter an appearance at the hearing.

At the hearing, the Commission directed staff to make further attempts to contact the Respondents New Century Telecom, Inc., Telecentrex, LLC, and Yak Communications (America), Inc. Staff made diligent inquiry and attempts to contact the above-named Respondent's as directed.

A copy of this order shall be mailed to each of the remaining Respondents via certified mail.

To date, Respondents have failed to contact the Communications Department or settle the complaint and outstanding issues with the Commission. In consideration thereof, the Commission finds that Respondents New Century Telecom, Inc., Telecentrex, LLC, and Yak Communications (America), Inc. should be ordered to show cause as to why civil penalties should not be assessed and/or their certificates of public convenience and necessity should not be revoked.

Furthermore, the Commission finds that a hearing should be scheduled on this matter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Respondents New Century Telecom, Inc., Telecentrex, LLC, and Yak Communications (America), Inc. are ordered to show cause as to why civil penalties should not be assessed and/or their certificates of necessity and convenience should not be revoked for failure to satisfy the annual report filing requirements.

IT IS FURTHER ORDERED that a copy of this order shall be mailed to each Respondent via certified mail.

IT IS FINALLY ORDERED that hearing on this matter is scheduled for **October 21, 2008, at 1:00 p.m.** at the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of October, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

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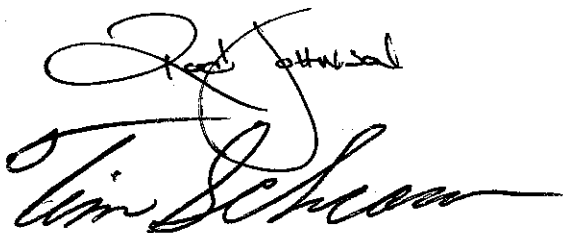


Chair

ATTEST:



Executive Director



//s// Anne C. Boyle
//s// Frank E. Landis