

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. C-4621/
on its own motion, seeking to) NUSF-89
conduct an inquiry into the)
operations of Telrite)
Communications d/b/a Life)
Wireless, an Eligible)
Telecommunications Provider for) ORDER APPROVING STIPULATION
the limited purpose of)
participating in the Lifeline)
program within the State of)
Nebraska, for violations of)
Commission Rules and Regulations)
regarding Lifeline in Nebraska.) Entered: November 4, 2014

BY THE COMMISSION:

On July 30, 2013, the Nebraska Public Service Commission ("Commission"), entered an Order to Show Cause, ordering Telrite Corporation d/b/a Life Wireless, ("Telrite" or "Company") an Eligible Telecommunications Carrier ("ETC") in Nebraska participating in the Nebraska Telephone Assistance Program ("NTAP"), to show cause as to why the Commission should not revoke its ETC designation in Nebraska for violation of Commission rules, regulations, and orders, and setting a hearing.

A hearing was held August 27, 2013, in the Commission Hearing Room. On September 17, 2013, the Commission entered an Order revoking Telrite's ETC status in Nebraska and ordered the Company to cease and desist providing NTAP service in Nebraska ("Revocation Order").

Telrite timely filed an appeal of the Revocation Order. On August 22, 2014, the Nebraska Supreme Court reversed the Revocation Order and remanded the matter back to the Commission for further proceedings.¹

The Nebraska Supreme Court issued a Mandate on September 18, 2014, by virtue of which the Commission has jurisdiction to enter further orders consistent with the Nebraska Supreme Court's opinion.

In an effort to resolve the remaining issues Telrite and Commission Staff engaged in settlement negotiations resulting in a Stipulation ("Stipulation").

¹ See Docket S-13-870, *Telrite Corporation, doing business as Life Wireless v. Nebraska Public Service Commission*, (August 22, 2014).

The Stipulation specifically addresses the following issues. Telrite agrees to make one or more voluntary charitable contributions to charitable organizations whose primary purpose is to assist low-income individuals and families in the Omaha Metro Area in an amount not less than Five Thousand Dollars (\$5,000). Telrite further agrees to make the agreed upon contribution(s) no later than thirty (30) days from the date of this order and file documentary evidence of the agreed upon contribution(s) with the Commission no later than forty-five (45) days after the date of this order. Finally, Telrite agreed to hold the Commission harmless for the payment of appellate costs as taxed in the Mandate. The parties agreed that upon approval by the Commission and as of the date the Commission enters an order approving the Stipulation, Telrite's ETC designation in Nebraska for the limited purpose of participating in the Lifeline program and NTAP shall be restored.

Telrite and Commission Staff jointly filed the Stipulation with the Commission and recommend approval.

Upon review of the Stipulation, the Commission is of the opinion and finds that it should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Stipulation be and is hereby, approved.

IT IS FURTHER ORDERED that Telrite Corporation d/b/a Life Wireless' Eligible Telecommunications Carrier designation in Nebraska for the limited purpose of participating in the Lifeline and Nebraska Telephone Assistance Program be, and is hereby, restored.

MADE AND ENTERED at Lincoln, Nebraska, this 4th day of November, 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Vice Chairman

ATTEST:

Executive Director

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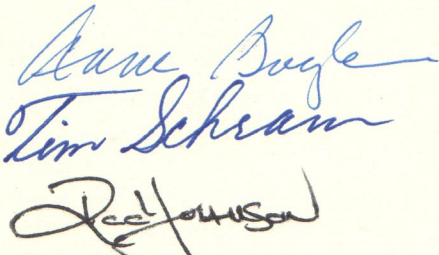
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//s//Gerald L. Vap


Vice Chairman

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