

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Nebraska	)	Application No. C-4924/DC-91
Public Service Commission	)	
Communications Department,	)	ORDER OPENING DOCKET,
on its own motion, regarding	)	ORDER TO SHOW CAUSE AND
the 2016 Annual Report	)	NOTICE OF HEARING
filings.	)	
	)	
	)	Entered: May 16, 2017

BY THE COMMISSION:

The Commission on its own motion opens the present docket to collect and review the 2016 annual reports required pursuant to Neb. Rev. Stat. § 86-159 (Reissue of 2008) and to process any and all motions or requests related to the annual report.

On May 15, 2017, the Communications Department (Department) of the Commission filed a Departmental Complaint seeking an order assessing civil penalties and revoking the operating authority of each of the Respondents named in the complaint alleging that said carriers failed to timely file an annual report pursuant to Neb. Rev. Stat. § 86-159 (Reissue of 2008).

A copy of the complaint and this order shall be mailed to each Respondent via certified mail.

Telecommunications companies generally regulated by the Commission, pursuant to Neb. Rev. Stat. § 75-101, et. seq. (Reissue of 2008) and §§ 86-101 et. seq. (Reissue of 2008) are also governed by Title 291, NAC Chapter 5 of the Commission's Rules and Regulations.

As part of its regulatory authority and pursuant to § 86-159, the Commission, through its Department, requires telecommunications companies which file an annual report with a federal agency to file a copy of the same report with the Commission on or before the date on which said report is filed with the federal agency. Every such company not required to file such a report with a federal agency is required to file an annual report with the Commission in a form prescribed by the Commission on or before April 30th of each year.

Each interexchange carrier and local exchange carrier was notified by the staff by email or first class mail on or about January 31, 2017, via certified mail on or about March 1, 2017, and by email or first class mail on or about April 1, 2017 that the annual report is due on April 30, 2017.

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Carriers failing to comply may be subject to fines or revocation of their certificate of public convenience and necessity.

The Commission finds that Respondents 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 on **August 22, 2017, at 11:00 a.m. CDT** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned docket, be and is hereby, opened to collect and review the 2016 annual reports required pursuant to Neb. Rev. Stat. § 86-159 (Reissue of 2008) and to process any and all motions or requests related to the annual report.

IT IS FURTHER ORDERED that each Respondent is ordered to show cause as to why civil penalties should not be assessed and/or its certificate 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 the complaint and this order shall be mailed to each Respondent via certified mail.

IT IS FURTHER ORDERED that any Respondent who subsequently files a satisfactory annual report may execute a stipulation with the Department.

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IT IS FINALLY ORDERED that a hearing on this matter is scheduled for **August 22, 2017, at 11:00 a.m. CDT** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 16<sup>th</sup> day of May, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Maury Fiddes*

*Crystal Snodgrass*

//s//Frank E. Landis  
//s//Tim Schram

*Tim Schram*

Chairman

ATTEST:

*Jeffrey L. Peltz*

Executive Director