

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. C-4924/DC-91
Nebraska Public Service)
Commission Communications)
Department, on its own) COMPLAINT DISMISSED IN PART
motion, regarding the 2016)
Annual Report filings.)
) Entered: July 5, 2017

BY THE COMMISSION:

By original complaint, dated May 15, 2017, the Communications Department (Department) of the Nebraska Public Service Commission (Commission) initiated this docket requesting the Commission to administratively fine and/or revoke the operating authority of various defendants for failure to file annual reports pursuant to Neb. Rev. Stat. § 86-159 (Reissue of 2008). All companies who had not filed annual reports with the Commission or who had filed incomplete annual reports were named as respondents in this docket. A copy of the Complaint and the Order to Show Cause was mailed to each defendant via certified United States mail.

The respondents are interexchange (IXC) and local exchange (LEC) telecommunications companies generally regulated by the Commission, pursuant to Neb. Rev. Stat. § 75-101, et. seq. (Reissue of 2009) and §§ 86-101 et. seq. (Reissue of 2008). Respondents 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 Communications 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.

The companies listed below have signed a stipulation with the Department wherein each defendant admits to filing its report late and has paid an administrative fine to dismiss the departmental complaint:

Airus, Inc.
American Telecommunications Systems, Inc.
Extenet Systems, Inc.
GoDaddy.com, LLC
Peerless Network of Nebraska, LLC

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-4924/DC-91

Page 2

The signed stipulation is satisfactory and therefore, the above-listed respondents should be dismissed from the complaint.

The companies listed in the preceding paragraph that stipulated with the Department should be aware that this Commission will not tolerate similar behavior in 2018 regarding the filing of the 2017 report. If reports are not postmarked on or before April 30, 2017, the option of resolving the complaint through a stipulation will be closely scrutinized. All companies that have agreed to such a stipulation will be considered a willful violator and be subject to the maximum penalty allowed.

In addition to the companies listed above, the companies listed below were included in the complaint due to administrative error:

**JBN Telephone Company
Keyart Comm., Inc.**

Therefore, the companies listed above should also be dismissed from the complaint.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that **Airus, Inc.; American Telecommunications Systems, Inc.; Extenet Systems, Inc.; GoDaddy.com, LLC; Peerless Network of Nebraska, LLC; JBN Telephone Company; and Keyart Comm., Inc.**, be, and are hereby, dismissed from the departmental complaint.

IT IS FURTHER ORDERED that any respondent who subsequently files a satisfactory annual report may execute a stipulation with the department similar to that offered to the above-named company in an effort to obtain dismissal.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 5th day of July, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Mary Rude
Crystal Knudsen

Tim Schram
Chairman

ATTEST:

Shane Kridger

//s//Frank E. Landis

//s//Tim Schram

Deputy Director