

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

ATS Mobile Telephone, Inc.)	Formal Complaint No. FC-1175
Omaha, Nebraska,)	
Complainant,)	
vs.)	DISMISSED
Northwestern Bell Telephone Company)	
Omaha, Nebraska,)	
Defendant,)	Entered: May 3, 1983

OPINION AND FINDINGS

BY THE COMMISSION:

By formal complaint filed January 20, 1983, ATS Mobile Telephone, Inc., Omaha, Nebraska charges that the tariff of Northwestern Bell Telephone Company permitting resale of paging service is invalid and unlawful.

A copy of the complaint was served on Northwestern Bell Telephone Company which filed its answer on March 1, 1983.

On April 18, 1983 defendant filed a motion to dismiss the complaint on the grounds that the allegations contained in this complaint are the same as those alleged by complainant in its Motion for rehearing in C-314, which case has been appealed to the Supreme Court by complainant.

Upon consideration of the formal complaint, defendant's motion and being fully advised, the Commission is of the opinion and finds that the formal complaint should be dismissed.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that FC-1175 be and it is hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of May, 1983.

NEBRASKA PUBLIC SERVICE COMMISSION

Harold D. Simpson
Chairman

ATTEST:

COMMISSIONERS CONCURRING:

Terence L. Kubic
Executive Secretary