

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Gnostic Orthodox Church of Jesus)	Formal Complaint 1243
Christ in America,)
Complainant)
)
vs.) DISMISSED
)
The Lincoln Telephone Company,)
Defendant.) Entered: May 2, 1995

BY THE COMMISSION

On September 30, 1994, the Gnostic Orthodox Church of Jesus Christ in America, (the Church), filed a formal complaint against the above-mentioned party, including Lintel Systems, Inc. and Lincoln Telecommunications Company, alleging inadequate service due to omissions in the April 1994 York area directory white pages.

On October 21, 1994, the defendants filed an answer to the formal complaint, as well as a motion to dismiss Lintel Systems, Inc. and Lincoln Telecommunications Company from the complaint as they were not proper parties to the proceeding. The Commission granted the motion and dismissed Lintel Systems and Lincoln Telecommunications from the proceeding on January 9, 1995.

O P I N I O N A N D F I N D I N G S

On October 20, 1995, the defendant sent a settlement offer to the complainant. Specifically, the defendant proposed to include in the 1995 Geneva section of the York Area Directory the listings Holy Protection Orthodox Monastery and Monastery Icons in the white pages without charge. Also, the Lincoln Area Telephone Directory 1994 edition would include the church under the classification "Churches Orthodox" without charge. The offer was not accepted or refused.

The defendant modified the original offer on March 27, 1995 by changing the issue date of the Lincoln Area Telephone Directory to December 1995. The complainant agreed to the modified offer provided that Lincoln Telephone print the advertisement as described in Attachment A. The defendant agreed to this provision; but, further conditioned the publication of Attachment A upon a dismissal of the Formal Complaint with the Public Service Commission and upon receiving a signed General Release from the Church relieving Lincoln Telephone Company from all other claims which might result from the facts described herein. The complaint, through its attorney, agreed to such terms on April 21, 1995.

As the parties of the complaint have negotiated a settlement, the Commission is of the opinion and finds that Formal Complaint 1243 should be dismissed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Formal Complaint 1243 is dismissed.

IT IS FURTHER ORDERED that the parties remit to the Commission, as a late-filed exhibit, a copy of the signed settlement agreement within thirty (30) days from the date of this order.

MADE AND ENTERED at Lincoln, Nebraska, this 2nd day of May, 1995.

COMMISSIONERS CONCURRING:

Lowell Johnson

//s//Rod Johnson

//s//Frank E. Landis

//s//James F. Munnelly

//s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION

Daniel G. Urwiller
Chairman

ATTEST:

Robert B. Logsdon
Executive Director