

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Sue Vanicek, Director of the ) Application No. NUSF-37.213  
Nebraska Telecommunications )  
Infrastructure and Public Safety )  
Department of the Nebraska )  
Public Service Commission, )  
)  
Complainant, ) ORDER APPROVING STIPULATION  
v. ) AND DISMISSING SHOW CAUSE  
)  
Access Point, Inc., )  
)  
Respondent(s). )  
) Entered: March 8, 2011

BY THE COMMISSION:

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

On April 27, 2010, Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department (NTIPS) (hereinafter "Complainant") of the Nebraska Public Service Commission (Commission) filed a Complaint against Access Point, Inc. (hereinafter "Respondent") alleging that Respondent failed to remit NUSF surcharge assessments pursuant to Neb. Rev. Stat. § 86-322 (Reissue of 2008). Respondent did not file an answer. On February 23, 2011, the Commission scheduled the matter for hearing and ordered Respondent to show cause as to why civil penalties should not be assessed and its certificate of public convenience and necessity should not be revoked.

Since entering the show cause order, Respondent and the NTIPS Director have entered into a stipulation resolving the allegations and the Respondent has paid its fine. Upon review of the stipulation, the Commission is of the opinion and finds that it should be approved and the Complaint and the Show Cause hearing against Access Point, Inc., should be dismissed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the stipulation between Access Point, Inc., and the NTIPS Department be, and is hereby, approved and the above-captioned complaint and Order to Show Cause is dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 8th day of  
March, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director