

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Sue Vanicek, Director of the) Application No. NUSF-37.353
Nebraska Telecommunications)
Infrastructure and Public Safety)
Department of the Nebraska)
Public Service Commission,)
)
Complainant,)
v.) DISMISSED
)
Midstates Data Transport, LLC,)
)
Respondent(s).)
)
)
) Entered: September 12, 2017

BY THE COMMISSION:

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

On August 15, 2017, the Nebraska Telecommunications Infrastructure and Public Safety (NTIPS) Director filed a Complaint against Midstates Data Transport, LLC (Respondent) seeking to fine Respondent on the grounds that it failed to file the required remittance worksheet or remittance payment by the 15th day following the end of the remittance period pursuant to section 003.02 and/or section 003.03 of Title 291, Neb. Admin. Rules & Regs. Chapter 10.

On August 28, 2017, the Department received a request from the Respondent for a waiver of the above-captioned Complaint as said Complaint was the first Complaint filed against the Respondent for late-filed NUSF remittances. Pursuant to the Commission's Late-filed Remittance Policy and Procedures, the Respondent is eligible for a one-time waiver and NTIPS recommends the administrative fines and penalties be waived and the complaint dismissed. Upon review the Commission is of the opinion and finds that the NTIPS Department recommendation should be approved and the Complaint should be dismissed.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the complaint against Midstates Data Transport, LLC, be, and is hereby, dismissed.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 12th day of September, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Mary Reddie

Crystal Knoodie

Paul Johnson

Tim Schram
Chairman

ATTEST:

Phil D. H. J.
Executive Director

//s//Frank E. Landis

//s//Tim Schram