

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Complaint) Application No. NUSF-37.43
of Jeffrey L. Pursley, Director)
of the Nebraska Universal)
Service Department of the)
Nebraska Public Service)
Commission,)
) COMPLAINT DISMISSED
Complainant,)
)
vs.)
)
Budget Call Long Distance, Inc.)
)
Respondent(s).) Entered: February 8, 2005

BY THE COMMISSION:

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

By Petition dated August 31, 2004 Jeffrey L. Pursley, Director of the Nebraska Universal Service Fund (NUSF) Department of the Nebraska Public Service Commission (Commission) (hereinafter "Complainant") filed a Complaint against Budget Call Long Distance, Inc. (hereinafter "Respondent") alleging that Respondent failed to file the required remittance worksheets or remittance payments to the NUSF Department by the 15th day following the end of the remittance period.

A copy of the Complaint was mailed to the Respondent, by United States mail, on September 9, 2004.

The Respondent subsequently provided evidence that it had timely filed a portion of the remittance worksheets and payments referenced in the Commission staff's Complaint. In consideration thereof, the Commission is of the opinion and finds that the trigger for initiating the above-captioned Complaint was not met. Accordingly, in conformance with the NUSF Department's letter to Respondent dated November 10, 2004, the Commission will dismiss this Complaint without prejudice.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Complaint in Docket NUSF-37.43, be and is hereby, dismissed without prejudice.

MADE AND ENTERED at Lincoln, Nebraska, this 8th day of
February, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director