

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Jeffrey L.)	Application No. NUSF-54
Pursley, Director of the)	
Nebraska Universal Service)	
Fund Department of the)	ORDER TO SHOW CAUSE
Nebraska Public Service)	DISMISSED
Commission,)	
)	
Complainant,)	
)	
v.)	
)	
Business Options, Inc.,)	
)	
Respondent.)	Entered: September 6, 2006

BY THE COMMISSION:

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

This is the matter of the Nebraska Public Service Commission (Commission) on its own motion, requiring Business Options, Inc. (Respondent) to Show Cause as to why the Commission should not assess administrative penalties against Respondent for failure to abide by the terms of a stipulated agreement entered into with the NUSF Department and for an order to cease and desist all Nebraska operations until such NUSF payments are made.

Respondent is a telecommunications company as defined by *Neb. Rev. Stat. § 86-322* (Cum. Supp. 2004) and *Neb. Admin. Code*, Title 291, Chapter 10, Section 001.01W.

Jurisdiction over this matter is proper pursuant to *Neb. Rev. Stat. § 86-316 et seq.* and *Neb. Admin. Code*, Title 291, Chapter 10.

On December 14, 2004, the NUSF Department Director filed a complaint against Business Options, Inc. for failure to make remittance payments into the fund as required by *Neb. Rev. Stat. § 86-324*. In order to settle the complaint, Business Options signed a stipulation with the NUSF Department agreeing to reimburse the NUSF Department for payments not made while operating in Nebraska. Respondent agreed to remit to the NUSF Department a total of Nine Thousand Six Hundred Twenty-One dollars and ninety-five cents (\$9,621.95) in twelve equal consecutive monthly installments of

Eight Hundred and One dollars and eighty-three cents (\$801.83) commencing on February 15, 2005. In exchange, the NUSF Department agreed to dismiss the complaint docketed as NUSF 37.51. On March 1, 2005, the Commission approved the stipulation and dismissed the complaint.

After May 2005, Respondent ceased remitting the agreed upon installment of Eight Hundred and One dollars and eighty-three cents after making only four installment payments. The Commission opened this Show Cause order against Respondent for this failure.

Respondent has now paid the remaining portion of the stipulated agreement in full and has paid fines and late handling fees. Respondent has also brought its reports into compliance and signed a stipulation with the NUSF Department. Upon consideration of this matter, the Commission finds this Show Cause Order should be dismissed as satisfied. However, the Commission finds that future violations by Respondent will result in significantly higher penalties and/or revocation of its operating authority.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above captioned Show Cause Order against Business Options Inc. be and it is hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska this 6th day of September, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director