

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Maurice Gene)	Application No. DC-66/SC-
Hand, Director of the)	005
Communications Department of the)	
Nebraska Public Service)	
Commission and Mr. Jeffrey L.)	
Pursley Director of the Nebraska)	
Universal Service Fund)	
Department of the Nebraska)	COMPLAINT DISMISSED IN PART
Public Service Commission,)	AS SATISFIED
)	
Complainants,)	
v.)	
)	
Long Distance Savings,)	
)	
Defendant.)	Entered: May 24, 2005

BY THE COMMISSION:

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

On May 18, 2004, the Commission filed a complaint in Application No. DC-66/SC-005 against Long Distance Savings, Inc. (Company) seeking to fine the Company on the grounds that that Company failed to file its annual report for the year 2001, pursuant to Neb. Rev. Stat. § 86-159, for operating without a Certificate of Public Convenience and Necessity after the Commission had revoked the Company, for a number of alleged slamming violations, and for failure to timely file its NUSF Remittance and/or Worksheets as prescribed by Title 291, NAC Ch. 10 of the Commission's Rules and Regulations and other Commission orders with respect to remittances.

The Company is a telecommunications company as defined by Neb. Rev. Stat. § 86-322 (2004). The Company and the Commission have entered into a stipulation resolving the allegations involving the Communications Department within the Commission.

This stipulation does not resolve the allegations involving the failure of the Company to file its NUSF remittances.

The terms of the stipulation are generally that the Company agrees to pay the Commission an administrative penalty in the amount of sixteen thousand dollars (\$16,000) in exchange for the partial dismissal of the complaint and the Commission agrees to release the Company from any further liability for its failure

to file its annual report, its unauthorized operations, and the Commission will not further pursue the slamming allegations.

Upon consideration of the stipulation signed by Defendant, the Commission finds the above-captioned Complaint should be dismissed in part as satisfied. Company is required to remit its administrative penalty to the Commission within thirty (30) days from the date of this order. Further, the Complaint will remain open with respect to the allegations pertaining to the Nebraska Universal Service Fund. In order to satisfy the portion of the Complaint citing violations of the NUSF rules and orders, the Company has stipulated to reconstruct all remittance worksheets for the applicable reporting periods in which it has provided telecommunications service to the satisfaction of the NUSF Director. The Complaint will remain open with respect to the NUSF issues until further order of the Commission.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the stipulation between Long Distance Savings, Inc. and the Commission be, and is hereby, approved.

IT IS FURTHER ORDERED that the complaint is dismissed in part as outlined above.

IT IS FURTHER ORDERED that the Defendant remit the stipulated penalty to the Commission within thirty (30) days from the date of this order.

MADE AND ENTERED at Lincoln, Nebraska, this 24th day of May, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

