

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

ATS Mobile Telephone, Inc.,)	Formal Complaint No. 1083
Omaha, Nebraska,)	
Complainant,)	
)	
v.)	
)	MOTION FOR RECONSIDERATION
Curtin Call Communications, Inc.,)	AND/OR REHEARING OVERRULED
Ben and Mary Ciaccio, d/b/a Tele-)	
phone Secretaries of Omaha and)	
Telephone Answering Service of)	
Omaha,)	
Defendant.)	Entered: October 28, 1974

APPEARANCES: For the complainant
Donald H. Erickson, Attorney
1660 Woodmen Tower
Omaha, Nebraska

For the defendants
Einar Viren, Attorney
904 City National Bank Building
Omaha, Nebraska

OPINION AND FINDINGS

BY THE COMMISSION:

By order entered September 3, 1974, the Commission sustained the above-captioned formal complaint and ordered defendants to cease and desist from offering communications service to subscribers located in the State of Nebraska without first receiving a certificate of convenience and necessity from this Commission.

On September 13, 1974, defendants filed their motion for reconsideration and/or rehearing and Oral Argument thereon was held on October 7, 1974, at 1:30 p.m. in the Commission Hearing Room, Lincoln, Nebraska.

Upon consideration of the formal complaint, defendants' motion, the arguments of counsel and being fully advised, the Commission is of the opinion and finds that the motion for reconsideration and/or rehearing should be overruled.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Motion for Reconsideration and/or Rehearing in Formal Complaint No. 1083 be and it is hereby overruled.

MADE AND ENTERED at Lincoln, Nebraska, this 28th day of October, 1974.

NEBRASKA PUBLIC SERVICE COMMISSION

Robert J. Marland
Chairman

ATTEST:
Evelyn A. Hen
Secretary

COMMISSIONERS CONCURRING:
James G. Marshall