BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

ATS Moble Telephone, Inc., Omaha, Nebraska Complainant, vs. Northwestern Bell Telephone Company, Omaha, Nebraska, Defendant	Formal Complaint No. FC-1175 MOTION FOR DEFAULT JUDGEMENT OVERRULED Entered: March 1, 1983

OPINION AND FINDINGS

BY THE COMMISSION:

By formal complaint filed January 20, 1983, ATS Mobile Telephone, Inc., Omaha, Nebraska sought to determine the validity of Northwestern Bell Telephone Company's tariff permitting resale of paging service.

On February 24, 1983, complainant filed a motion seeking a default judgement against defendant due to the failure to timely file an answer to the complaint.

Upon consideration of the formal complaint, the motion of complainant and being fully advised, the Commission is of the opinion and finds that the motion should be overruled.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Motion for Default Judgement in FC-1175 be and it is hereby overruled.

MADE AND ENTERED at Lincoln, Nebraska, this 1st day of March, 1983.

NEBRASKA PUBLIC SERVICE COMMISSION

Harold D. Simpson

Chairman

ATTEST:

Acting Executive Secretary

COMMISSIONERS CONCURRING: