

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of McLeod Telemanage- ) Docket FC-1252  
ment, Inc.; MCI Telecommunications, ) Docket FC-1253  
Corp.; and AT&T Communications of ) Docket FC-1254  
the Midwest, Inc. )  
Complainants ) Reversed and Dismissed  
vs. ) Pursuant to Supreme Court  
 ) Mandate  
US West Communications, Inc. )  
Respondent. ) Entered: September 21, 1998

BY THE COMMISSION:

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

On November 25, 1996, the Commission entered an order sustaining in part, and denying in part, the complaints in the above referenced dockets. The decision of the Commission was appealed to the Nebraska Court of Appeals. The Supreme Court removed the case and heard arguments. On August 26, 1998, the Court issued its mandate in which it reversed the Commission's decision and remanded the matter with direction to dismiss.

The Court ruled that under Neb. Rev. Stat. Section 86-811, the District Court, and not the Commission, was the appropriate body to hear this matter. Therefore, the Court directed the Commission to dismiss the complaints for lack of jurisdiction.

Pursuant to the Court's mandate, the Commission finds that its decision sustaining in part, and denying in part, the aforementioned complaints must be reversed, and the complaints must be dismissed.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that the Commission's November 25, 1996, order sustaining in part, and denying in part, the complaints in FC-1252, FC-1253, and FC-1254 be, and are hereby, reversed and dismissed.

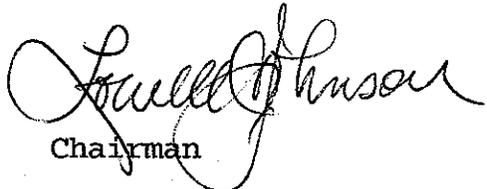
MADE AND ENTERED in Lincoln, Nebraska, this 21st day of September, 1998.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Lowell C. Johnson  
//s//Frank E. Landis  
//s//Daniel G. Urwiller

  
Chairman

ATTESTS:

  
Executive Director