

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Formal) Application No. FC-1337
Complaint of N State Packaging)
Equipment & Supply Co., Omaha,)
alleging improper billing by)
Windstream Nebraska, Inc.,) ORDER DISMISSING COMPLAINT
Little Rock, Arkansas.)
)
) Entered: June 30, 2009

BY THE COMMISSION:

On May 15, 2009, a Formal Complaint was filed with the Nebraska Public Service Commission ("Commission") by N State Packaging Equipment & Supply Co., ("N State") Omaha, Nebraska, seeking a determination that Windstream Nebraska, Inc., d/b/a Windstream Communications ("Windstream") Little Rock, Arkansas, improperly billed N State for certain long distance charges. Two subsequent motions to extend the deadline to file an Answer while the parties engaged in settlement negotiations were granted by the Hearing Officer on June 5, 2009, and June 12, 2009.

On June 23, 2009, a Statement of Satisfaction and Acceptance was filed by the parties with the Commission stating that the Complainant and Respondent have reached agreement and have executed a Mutual General Release fully and finally resolving the issues presented in the Complaint and requesting that the Complaint be dismissed. A copy of the executed Mutual General Release between the parties was filed with the Commission.

Upon consideration of the request and being fully advised, the Commission finds the request to be reasonable and finds that the above-captioned Complaint should be dismissed with prejudice.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned Formal Complaint be, and is hereby, dismissed with prejudice.

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MADE AND ENTERED at Lincoln, Nebraska, this 30th day of June, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gene D. Vap
Alan Landis
Chairman

Gene C. Doyle

ATTEST:

Tim Schram
John Sullivan
Deputy Director

//s//Frank E. Landis