

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

| | | |
|--|---|------------------------|
| In Re Disposition of Property Tax |) | Application No. C-931 |
| Revenues For Taxable Year 1991 By Cer- |) | |
| tain Affected Telecommunications Com- |) | C-931(47) |
| panies: |) | C-931(54) |
| |) | C-931(61) |
| |) | |
| |) | ORDER DISMISSING |
| |) | PARTIES FROM DOCKET |
| TCI Communications, Inc.; Excel Tele- |) | |
| communications, Inc.; and Metromedia |) | |
| Communications Corp. |) | Entered: June 30, 1992 |

PRELIMINARY MATTERS

The Commission on its own motion opened this docket May 14, 1992 as a means of determining whether to approve plans submitted by certain affected telecommunications companies for the disposition of revenues resulting from decreases in personal property taxes for taxable year 1991. This docket is governed by Neb. Rev. Stat. §86-803(9) (1991 Supp.). Notice of hearing was sent to the above-named party-respondents May 29, 1992 by the Executive Director and hearings were scheduled for July 21, 1992.

BY THE COMMISSION

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

The Commission, being fully advised, finds that Excel Telecommunications, Inc., Dallas, Texas, TCI Communications, Inc., Sioux Falls, South Dakota and Metromedia Communications Corporation, East Rutherford, New Jersey are resellers of interexchange telecommunications services. Based on the affidavits filed by the respondents, we find Excel Telecommunications, Inc., TCI Communications, Inc. and Metromedia Communications Corporation do not own or lease any personal property in Nebraska subject to personal property taxation, nor have the respondents had any personal property taxes assessed by the various taxing authorities in Nebraska. Therefore, the respondents should be dismissed from the C-931 docket since no plan for disposition of revenues is required for the 1991 taxable year and the hearings scheduled for the respondents July 21, 1992 should be cancelled.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Excel Telecommunications, Inc., TCI Communications, Inc., and Metromedia Communications Corporation be, and they are hereby, dismissed from the C-931 docket since they do

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not own or lease personal property in Nebraska subject to personal property taxation, nor have they had any personal property taxes assessed by the various taxing authorities in Nebraska and are therefore not subject to a plan for revenue disposition per the requirements of Neb. Rev. Stat. §86-803(9) (1991 Supp.) and the terms set forth in this docket for the 1991 taxable year.

IT IS FURTHER ORDERED that the July 21, 1992 hearings scheduled for Excel Telecommunications, Inc., TCI Communications, Inc. and Metromedia Communications Corporation be, and they are hereby, cancelled.

MADE AND ENTERED at Lincoln, Nebraska this 30th day of June, 1992.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING

Daniel G. Urville
Deane D. Gay

//s//Frank E. Landis, Jr.
//s//James F. Munnelly
//s//Eric Rasmussen

Paul J. Landis
Chairman

ATTEST:

D. R. [Signature]
Executive Director