

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Complaint of) Docket No. C-2969/DC-63
Maurice Gene Hand, Director of the)
Nebraska Public Service Commission)
Communications Department,)
Complainant,)
vs.) PETITION TO REVOKE
OPERATING AUTHORITIES AND
CEASE AND DESIST
Interexchange Carriers:) OPERATIONS IN NEBRASKA
1-800-Reconex, Inc.,)
Americatel Corporation, dba 10 123)
Americatel and 1010 123 Ameri-))
catel, 10-15-688 AMETEX and)
1-800-3030 123 Americatel)
Collect,)
AmeriVision Communications, Inc.,)
Association Administrators, Inc.,)
Eschelon Telecom, Inc.)
McLeodUSA Telecommunications)
Services, Inc.,)
North American Telephone Network,)
LLC,)
NUI Telecom, Inc.,)
Telegenius, Inc.,)
Telephone Company of Central)
Florida, Inc.,)
WWC License, LLC,)
Western CLEC Corporation,)
ACSI Local Switched Services, Inc.)
All-Star Acquisition Corporation)
Avera Communication, LLC,)
Cable & Wireless Global Card)
Services, Inc.,)
Digital Telecommunications, Inc.,)
ePHONE Telecom, Inc.,)
Eastern Telecommunications, Inc.,)
Enhanced Communications Network,)
Inc.,)
Ex-Op of Missouri, Inc., dba Unite)
FiberComm, L.C.)
Incomnet Communications Corporation)
KMC Data, LLC,)
Kiger Telephone & Telephony, LLC,)
LD Exchange.com, Inc.,)

Logix Communications Corporation,)
 Long Distance Billing Services,)
 Inc.,)
 Long Distance Consolidated Billing)
 Marathon Communications Corporation))
 dba Marathon USA,)
 Maxcess, Inc.,)
 Maxtel USA, Inc.,)
 Network Access Solutions Corp.,)
 Network US, Inc.,)
 New Century Telecom, Inc.,)
 QX Telecom, LLC,)
 Reliant Communications, Inc.,))
 SBR, Inc.,)
 SNET,)
 ServiSense.com, Inc.,)
 Single Billing Services, Inc., dba)
 Asian American Association,)
 Telliss, L.L.C.,)
 TON Services, Inc.,)
 Telicor, Inc.,)
 Telera Communications, Inc.,)
 Telergy Network Services, Inc.,)
 USP Communications,)
 Univance Telecommunications, Inc.,))
 Vista Group International, Inc.,)
 W2Com International, LLC,)
 WorldPort Communications, Inc.,)
 Zenex Long Distance, Inc.,)
Local Exchange Carriers:)
 Atlas Communications, Ltd.,)
 Eschelon Telecom, Inc.,)
 Fast Phones of Nebraska, Corp.,)
 ICG Telecom Group, Inc.,))
 McLeodUSA,)
 Western CLEC Corporation,)
 Advanced Telecom, Inc.,)
 CityNet Telecom, Inc.,)
 Concert Communications Sales, LLC,)
 Ex-Op of Missouri, Inc., dba Unite)
 FiberComm, L.C.,)
 KMC Data, LLC,)
 Maxcess, Inc.,)
 Network Access Solutions Corp.,)
 Reliant Communications, Inc.,))
 Telera Communications, Inc.,)
 Telergy Network Services, Inc.,)

Telicor, Inc.,

)

)

Defendants.

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Entered: June 25, 2003

The Communications Department of the Nebraska Public Service Commission (Commission), by and through its Director, Maurice Gene Hand, states and alleges as follows:

1. The above-mentioned defendants are telecommunications companies generally regulated by the Commission, pursuant to Neb. Rev. Stat. §§ 75-101, et seq. (2002 Cum. Supp.) and 86-101 et. seq. (2002 Cum. Supp.). Defendants are also governed by Title 291, NAC Ch. 5 of the Commission's Rules and Regulations.

2. As part of its regulatory authority and pursuant to § 86-159, the Commission, through its Communications Department, requires telecommunications companies which file an annual report with a federal agency to file a copy of the same report with the Commission on or before the date on which said report is filed with the federal agency. Every such company not required to file such a report with a federal agency is required to file an annual report with the Commission in a form prescribed by the Commission on or before April 30th of each year.

3. None of the defendants filed the required proper and complete annual reports for the year 2002 as of April 30, 2003. Each company was notified by the staff by first class mail that the annual report was due: Interexchange companies and local exchange carriers were both notified on February 4, 2003. None of the defendants responded by April 30, 2003, with a report that satisfies the Commission's requirements.

4. Based on the failure of the defendants to file the required annual reports by April 30, 2003, and each defendant's disregard of the requests to do so, each defendant's certificate of authority should be revoked and each defendant should be ordered to cease and desist operations in Nebraska.

WHEREFORE, the complainant prays that this Commission set this matter for hearing and revoke each certificate of authority previously issued to the above-named defendants.

DATED this 25th day of June, 2003.

MAURICE GENE HAND, Complainant

BY _____
Chris A. Post, #21314
Attorney for Complainant
NEBRASKA PUBLIC SERVICE
COMMISSION
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(402) 471-3101

VERIFICATION

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

Chris A. Post, being first duly sworn, deposes and says that he is agency legal counsel for the Communications Department of the Nebraska Public Service Commission; that he is the attorney for the complainant in the foregoing complaint; that he has read the allegations contained herein and understands them to be true to the best of his knowledge and belief.

Chris A. Post

SUBSCRIBED AND SWORN to before me this _____ day of June, 2003.

Notary Public