

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) Application No. C-1186
World Telecom Group, Inc., of)
Mountain View, California seeking)
Authority to obtain a Certificate of) GRANTED
Public Convenience and Necessity to)
operate as a reseller of inter-)
exchange telecommunications services)
within the state of Nebraska.) Entered: September 26, 1995

APPEARANCES:

For the Applicant

Andrew Isar
Harbor Consulting
P.O. Box 2461
Gig Harbor, WA 98335

For the Communications Department

Deonne Bruning, General Counsel
300 The Atrium, 1200 N Street
P.O. Box 94927
Lincoln, Nebraska 68508

PRELIMINARY MATTERS

World Telecom Group, Inc. (hereinafter referred to as WTG) of Mountain View, California filed an application with the Commission on May 3, 1995. The company seeks authority to conduct business as an intrastate telecommunications common carrier offering resold intraLATA and interLATA long distance service. The applicant's business address is noted above. Notice of the application appeared in the Omaha Daily Record, May 4, 1995. WTG appeared before the Commission for a video-conference hearing, chaired by Commissioner Rod Johnson, August 22, 1995 in the Commission Library, Lincoln, Nebraska.

BY THE COMMISSION

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

Upon consideration of the application, the governing statutes and rules¹, the evidence adduced at the hearing, and being fully informed, the Commission is of the opinion and finds:

¹Interexchange reseller application are governed by Neb. Rev. Stats. 75-604 and 86-805 (Cum. Supp. 1994 and 1994 Reissue, respectively) and Title 291 Neb. Admin. Regs. Ch. 5, Rule 003.12.

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Nebraska was divided into three Local Access Transport Areas ("LATAs") as a result of the terms of the Modification of Final Judgement (the "MFJ") issued in the AT&T divestiture case. United States v. American Telephone & Telegraph Co., F.Supp. 131 (D.D.C. 1982), aff'd sub nom., California v. United States, 460 U.S. 1001 (1983) and United States v. American Telephone & Telegraph Co., 569 F.Supp. 990 (D.D.C. 1983) aff'd sub nom., California v. United States, 460 U.S. 1001 (1983).

While Neb. Rev. Stat. 75-604, by its language, refers to local exchange service, the Nebraska Supreme Court in Northwestern Bell Telephone v. Consolidated Telephone Co., 180 Neb. 268, 142 N.W.2d 324 (1966) held that long distance service is also subject to the provisions of the statute. This was recognized by the Legislature in LB 835 (LAWS 1986) because interexchange services (which include resellers) in Sec. 86-805 (part of LB 835) are referenced to in Sec. 75-604. For this reason, the Commission distinguishes between intraLATA and interLATA resale when deciding reseller applications.

Andrew Isar, Consultant for WTG, testified. Mr. Isar was formerly employed by WTG and was responsible for the company's state and regulatory affairs. He now operates a consulting company, Harbor Consulting Group, Inc., and serves as its President. Mr. Isar stated, and the pleadings reflect, the applicant seeks intraLATA and interLATA authority. The filed application does not seek authority to provide AOS.

The applicant was incorporated in 1991 and has been profitable since its inception. WTG is currently certified in approximately 43 states. No state has denied WTG a certificate and no formal complaints have been filed against the company.

WTG intends to offer specialized, prepaid calling cards throughout Nebraska. Specifically, the applicant will target its cards for corporate and sales executives and those who frequently travel. The underlying carriers will be Frontier Communications and Sprint.

The company provides a toll-free 800 number for customer service, twenty-four hours a day, 365 days per year. WTG services are offered exclusively on a prepaid basis.

Financial information was provided to the Commission in the application and the statements reflect the company is adequately financed. The proposed tariff, which is part of the application, is in accordance with the Commission's Rules and Regulations.

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In conclusion, Mr. Isar testified that WTG services are designed to supplement the needs of those people who frequently travel, yet wish to enjoy competitive rates.

Based on the testimony, the exhibits, and the proposed tariff, the applicant has provided the requisite information, has demonstrated its financial resources, and has proven to be technically competent to provide service. The application is fair and reasonable, is in the public interest, and should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-1186 be, and it is hereby, granted and World Telecom Group, Inc. of Mountain View, California is hereby authorized to operate as a **resale carrier of intrastate interexchange intraLATA and interLATA telecommunications services within the state of Nebraska.**


IT IS FURTHER ORDERED that the applicant shall file, in accordance with the applicable statutes on or before April 30th of each year, an annual report with this Commission consisting of (a) a copy of any report filed with the Federal Communications Commission, (b) the annual report to stockholders, and (c) for the State of Nebraska on a combined interstate-intrastate basis, the investment in telephone plant and equipment located within the state, accumulated depreciation thereon, operating revenues, operating expenses, and taxes.

IT IS FURTHER ORDERED that applicant file an updated tariff prior to offering service pursuant to the certificate granted in this order.

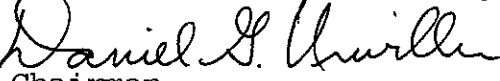
IT IS FINALLY ORDERED that this order be, and it is hereby made the Commission's official certificate of authority to furnish the service authorized herein as a common carrier.

MADE AND ENTERED at Lincoln, Nebraska this 26th day of September, 1995.


COMMISSIONERS CONCURRING:


 //s//Rod Johnson
 //s//Frank E. Landis
 //s//James F. Munnelly
 //s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION


 Chairman

ATTEST:


 Executive Director

