

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-1346  
of Capitol City Telephone, Inc., )  
of Lincoln, Nebraska, seeking )  
authority to operate as a resale ) GRANTED  
common carrier of telecommuni- )  
cation services within the state )  
of Nebraska. ) Entered: September 17, 1996

APPEARANCES:

For the Applicant:  
None

For the Commission Staff:  
Deonne Bruning, Staff Attorney  
300 The Atrium  
Lincoln, Nebraska 68508

BY THE COMMISSION:

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

By application filed May 22, 1996, Capitol City Telephone, Inc., of Lincoln, Nebraska, seeks authority to provide intraLATA and interLATA resold telecommunications services within the state of Nebraska. Notice of the application was published in the Daily Record, Omaha, Nebraska, on May 28, 1996, pursuant to the rules of the Commission. No protests were filed. Hearing on the application was held on August 28, 1996 in the Commission Hearing Room.

Applicant produced one witness, Robert Walter, who testified: He is president of applicant. He has been in telecommunications since the 1960's. No operator service will be offered. Interexchange service will be provided in Nebraska only. Applicant is serving 70 customers now, mostly in Lincoln and eastern Nebraska. He has been in business since 1993, but only became aware he needed authority in the Spring of 1996. The underlying carrier is LDDS/WorldCom. Applicant targets its own equipment customers of intercoms and other devices. Motels and hospitals are in the customer base. Applicant uses word of mouth to build its base. Customer service is available from 8:00 a.m. to 5:00 p.m. by personnel and by voice mail after 5:00 p.m.

Interexchange reseller applications are subject to Commission jurisdiction under Neb. Rev. Stat. 75-604 and 86-805 and Title 291 of the Commission's Rules and Regulations, Chapter 5, Rule 003.12. From examination of the application filed herein and

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the testimony adduced at the hearing, the Commission finds applicant has provided all the information required by the Commission; possesses adequate financial resources to provide the proposed service, and possesses adequate technical competency to provide the proposed service. The application should be granted.

O R D E R

IT IS THEREFORE ORDERED BY THE Nebraska Public Service that Application Number C-1346 be, and it is hereby, granted and Capitol City Telephone, Inc., Lincoln, Nebraska, 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) a copy of any annual report to stockholders, (c) a copy of the latest Form 10-K filed with the Securities and Exchange Commission, (d) a balance sheet and income statement for the previous year of operation and (e) 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 its current 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 17th day of August, 1996.

COMMISSIONERS CONCURRING:

*[Signature]*  
 //s//Rod Johnson  
 //s//Frank E. Landis  
 //s//James F. Munnelly  
 //s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION

Chairman

ATTEST:

*[Signature]*  
 Executive Director