

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1348
of Apollo Communications Services,)
LLC, of Rolling Meadows, Illinois,)
seeking authority to operate as a) GRANTED
resale common carrier of telecom-)
munication services within the)
state of Nebraska.) Entered: October 8, 1996

APPEARANCES:

For the Applicant:
Richard DeRemer, Esq.
2550 W. Golf Road
Rolling Meadows, IL 60008

For the Commission Staff:
Hal Hasselbalch, 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 23, 1996, Apollo Communications Services, LLC, of Rolling Meadows, Illinois, 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 by video communication on July 17, 1996.

Applicant produced one witness, Thomas O'Key, who testified: He is vice president of operations of applicant. The application is complete and accurate. Applicant has no subscribers. It is attempting to be certificated in all states. It is currently authorized to do business in approximately 20 states. No facilities would be located in Nebraska. Its underlying carriers would be MCI and AT&T. A help desk has been set up with an 800 number to serve customer complaints. Applicant will use direct marketing by its own sales staff. Small and medium size businesses would be applicant's target market. Calling cards will be offered. A letter of agency must be signed before a customer is served. Direct billing would be used. United Air Lines is 77 percent owner of applicant. Exhibits 1 and 2 show financial statements of applicant.

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 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.

Application No. C-1348

Page 2

O R D E R

IT IS THEREFORE ORDERED BY THE Nebraska Public Service that Application Number C-1348 be, and it is hereby, granted and Apollo Communications Services, LLC, of Rolling Meadows, Illinois, 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 8th day of October, 1996.

COMMISSIONERS CONCURRING:



//s//Rod Johnson
//s//Frank E. Landis
//s//James F. Munnelly

NEBRASKA PUBLIC SERVICE COMMISSION

Chairman



ATTEST:

Executive Director

