

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-1356  
of American Business Alliance, )  
Inc., of Kingston, Pennsylvania, )  
seeking authority to operate as a ) GRANTED  
resale common carrier of tele- )  
communication services within )  
the state of Nebraska. ) Entered: October 8, 1996

APPEARANCES:

For the Applicant:  
Eric Anderson, Esq.  
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Omaha, NE 68102

For the Commission Staff:  
Hal Hasselbalch, Staff Attorney  
300 The Atrium  
Lincoln, Nebraska 68508

Jean Kiddo, Esq.  
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BY THE COMMISSION:

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

By application filed June 4, 1996, American Business Alliance, Inc., of Kingston, Pennsylvania, 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 June 6, 1996, pursuant to the rules of the Commission. No protests were filed. Hearing on the application was held by video communication on September 16, 1996.

Applicant produced one witness, Douglas K. Winslow, who testified: He is vice president of applicant corporation. The application is complete and accurate. Applicant has authority in 38 states. Applicant proposes to offer 1+ outbound services. It does not sell debit cards. Customer service is provided through an 800 number. It markets through telemarketers. Scripts comply with requirements of its lawyers and the FCC. It focuses on business customers. Applicant has a 15-step program to ensure compliance. It uses a 17-day waiting period before a customer is actually served to allow customers to change their minds.

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

Application No. C-1356

Page 2

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-1356 be, and it is hereby, granted and American Business Alliance Inc. of Kingston, Pennsylvania, 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 FURTHER ORDERED that the grant of authority is conditioned upon applicant's filing of quarterly financial reports for the third and fourth quarters of 1996 and first quarter of 1997.

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

NEBRASKA PUBLIC SERVICE COMMISSION

Chairman

ATTEST:

Executive Director

