

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1395
of Eastern Telecommunications, Inc.)
of New York, New York, seeking)
authority to operate as a resale) GRANTED
common carrier of telecommunication)
services within the state of)
Nebraska.) Entered: October 29, 1996

APPEARANCES:

For the Applicant:
None

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 August 9, 1996, Eastern Telecommunications, Incorporated (ETI), of New York, New York, 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 August 12, 1996, pursuant to the rules of the Commission. No protests were filed. Hearing on the application was held by video communication on October 15, 1996.

Applicant produced one witness, Menachem Goldstone, who testified: He is vice president of applicant. The application is complete and accurate; however since the filing of the application the applicant has been granted authority in 12 more states. ETI will have no facilities in Nebraska. It resells long distance to AT&T customers. ETI targets small businesses which have monthly long distance bills of \$50 to \$200. It sells its service through telemarketers. Exhibit 1 is a copy of the telemarketers script. After the sale a third party verifies the authorization to switch to ETI. Applicant has a customer base of approximately 10,000 subscribers. It has been operating since 1992. Its rates are 15% cheaper than AT&T's rates. Applicant maintains an 800 number to receive customer complaints.

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.

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O R D E R

IT IS THEREFORE ORDERED BY THE Nebraska Public Service that Application Number C-1395 be, and it is hereby, granted and Eastern Telecommunications, Inc., of New York, New York, 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 29th 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

