

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1414
of WorldCom, Inc. d/b/a LDDS WorldCom)
(WorldCom) of Jackson, Mississippi)
seeking authority Nunc Pro Tunc of a) DISMISSED
transfer of assets from Conetco,)
d/b/a Communications Network Corp-)
oration to WorldCom, Inc.) Entered October 29, 1996

PRELIMINARY MATTERS

On September 16, 1996, an application was filed by WorldCom Network Services, Inc. d/b/a WilTel Network Services ("WilTel"), a wholly owned subsidiary of WorldCom, Inc. d/b/a LDDS WorldCom (WorldCom), of Jackson, Mississippi seeking authority to transfer assets of Communications Network Corporation a/k/a Conetco ("Conetco") to WilTel. The Transfer of assets was precipitated by an involuntary Chapter 11 bankruptcy petition against Conetco that was filed by Conetco's creditors, including WilTel, on July 1, 1996 with the United States Bankruptcy Court of Southern District of New York. Notice of the application was published in the Omaha Daily Record on September 18, 1996. No protests were received; therefore, we will process this application pursuant to the Commission's Rule of Modified Procedure.

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

WorldCom has obtained a Certificate of Public Convenience and Necessity from the Commission and has no outstanding formal or departmental complaints pending with the Commission. WorldCom is a publicly-held Georgia corporation whose principal offices are located in Jackson, Mississippi. WorldCom operates as a facilities-based and non-facilities-based interexchange carrier that provides service through its subsidiaries in 48 states.

On May 23, 1996, Conetco Corporation, d/b/a Communications Network Corporation (Conetco) filed an application with the Commission, C-1349, to obtain a Certificate of Public Convenience and Necessity. On July 1, 1996, Conetco filed a letter with this Commission asking that their filing be withdrawn, as the company was presently in negotiations with its underlying carrier to adjust its cost structure. The letter went on to provide that once the negotiations were completed, the company would refile a new application in Nebraska. The application was accordingly withdrawn by Commission Order on July 9, 1996.

The present application, C-1414, states on July 1, 1996 Conetco's creditors, including WilTel, filed a petition for Chapter 11 involuntary bankruptcy against Conetco. On August 6, 1996, the Bankruptcy Court issued a Consent Order mandating that Conetco immediately transfer certain assets to WilTel.

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Part of the Court's ruling was that all Conetco's customers were to be notified that they would be transferred to WilTel.

This Commission has not granted Conetco authority to operate within Nebraska; therefore, we cannot approve the transfer of assets of Conetco to WilTel. Accordingly, the application is dismissed and WilTel is permitted to follow the Consent Decree described above without this Commission's approval.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application C-1414 be, and it is hereby dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 29th day of October, 1996.

NEBRASKA PUBLIC SERVICE COMMISSION


COMMISSIONERS CONCURRING:



//s//Rod Johnson

//s//Frank E. Landis

//s//James F. Munnely


Chairman

ATTEST:


Executive Director