

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application                    ) Application No. C-1464  
of Providian Group, LLC, of Fountain Valley, California, seeking autho-                    )  
rity to operate as a resale common                    ) GRANTED  
carrier of telecommunication ser-                    )  
vices within the state of Nebraska.                    ) Entered: March 4, 1997

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 December 19, 1996, Providian Group, LLC (Providian), of Fountain Valley, California, 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 December 23, 1996, pursuant to the rules of the Commission. No protests were filed. Hearing on the application was held by video communication on February 12, 1997.

Applicant produced one witness, Kenny Gharib, who testified: He is president of Providian. Applicant has authority to operate in 20 states. It obtained its federal license January 30, 1997. Providian seeks to offer 1+, 800, switched and dedicated resold services of AT&T. Debit cards may be offered in the future. Applicant sells its services through telemarketers. Its telemarketer script is shown in Exhibit 1. Billing and technical assistance will be furnished by AT&T. Anti-slamming procedures include independent verification of sales, a welcome or denial card, tape recording of sales pitches and up to five contacts with the potential customer. Applicant has no objection to filing quarterly financial statements for its first year of operation in Nebraska.

Interexchange reseller applications are subject to Commission jurisdiction under Neb. Rev. Stat. Sections 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

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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 Commission that Application Number C-1464 be, and it is hereby, granted and Providian Group, LLC (Providian), Fountain Valley, California, 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 quarterly financial statements be filed by applicant within 30 days of the close of each quarter during its first year of operation in Nebraska.

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 4th day of March, 1997.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

//s//Rod Johnson

//s//Frank E. Landis

//s//Daniel G. Urwiller