

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1490
of American Telecommunications Sys-)
tems, Inc., North Canton, Ohio,)
seeking authority to operate as a)
resale common carrier of telecommuni-) GRANTED
cation services within the state of)
Nebraska.) Entered: April 29, 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 February 18, 1997, American Telecommunications Systems, Inc., of North Canton, Ohio, 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 February 20, 1997, pursuant to the rules of the Commission. No protests were filed. Hearing on the application was held by video communication on April 1, 1997.

Applicant produced one witness, Bill Statabakaros, who testified: Applicant has been authorized to do business in eight states. No state has denied applicant authority. No complaints are pending against applicant in any state. Applicant resells long distance utilizing AT&T and OBN (One Better Network) of New Hope, Pennsylvania. Customer complaints are handled through an 800 number with four service people. New customers are solicited by telemarketing. A copy of applicant's telemarketing script is shown as Exhibit 1. Applicant targets business customers. Third party verification and written letters of agency are used to prevent slamming. Applicant has been in business since February 28. Applicant agrees to file quarterly financial reports within 30 days of the end of each quarter.

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

Application No. C-1490

Page 2

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-1490 be, and it is hereby, granted and American Telecommunications Systems, Inc., of North Canton, Ohio, 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 applicant file quarterly financial reports during its first year in business 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 29th day of April, 1997.

COMMISSIONERS CONCURRING:

Rod Johnson

Frank E. Landis

//s//Rod Johnson
//s//Frank E. Landis
//s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION

Chairman

Rod Johnson

ATTEST:

Executive Director

Robert R. Logsdon