

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1511
of Clarity Telecom LD Network Ser-)
vices, Inc., of Milford, Connecti-)
cut, seeking authority to operate as) GRANTED
a resale common carrier of telecom-)
munication services within the state)
of Nebraska.) Entered: September 3, 1997

APPEARANCES:

For the Applicant:	For the Commission Staff:
Charles M. Pallesen, Jr., Esq.	Hal Hasselbalch, Staff Attorney
1900 First Bank Building	300 The Atrium
Lincoln, Nebraska 68508	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 March 31, 1997, Clarity Telecom LD Network Services, Inc. (Clarity), of Milford, Connecticut, 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 April 4, 1997, pursuant to the rules of the Commission. No protests were filed. Hearing on the application was held by video communication on August 12, 1997.

Applicant produced one witness, Neil Lichtman, who testified: Exhibit 1 is a copy of his prepared testimony. Exhibit 2 is his affidavit. Exhibits 3 and 4 are a cover letter and draft brochure applicant has prepared to inform potential customers that it has taken over Executone and offers the range of services set out in the publication.

Exhibits 1 and 2 show that Mr. Lichtman is vice president of finance and administration of applicant. Its parent company is Clarity Telecom Holdings, Inc., a privately held corporation controlled by Bain Funds of Boston. Executone Business Solutions employees will operate applicant's business. Clarity is certificated in 23 jurisdictions and has applications pending in 16 others. Applicant offers switched access and dedicated long distance, including 800 calling. Applicant would not have any equipment in Nebraska. It would resell Sprint, L.P. and/or WorldCom Network Services. Applicant maintains an 800 number to receive customer complaints.

No complaints are pending against applicant in any state where it operates, Mr. Lichtman testified.

Application No. C-1511

Page 2

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 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-1511 be, and it is hereby, granted and Clarity Telecom LD Network Services, Inc. (Clarity), Milford, Connecticut, is hereby authorized to operate as a resale carrier of intrastate interexchange intraLATA and inter-LATA 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 within thirty days.

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 3rd day of September, 1997.

COMMISSIONERS CONCURRING:

Robert Johnson
Frank E. Landis
//s//Rod Johnson
//s//Frank E. Landis

NEBRASKA PUBLIC SERVICE COMMISSION

Chairman *Robert Johnson*

ATTEST:

Robert H. Logsdon
Executive Director