

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1578
of USA Tele Corp. of Pompano)
Beach, Florida, seeking authority)
to operate as a resale carrier of) GRANTED
intrastate interLATA and intraLATA)
interexchange telecommunications)
services within the state of)
Nebraska.) Entered: December 23, 1997

BY THE COMMISSION:

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

By application filed June 30, 1997, USA Tele Corp. ("Applicant") of Pompano Beach, Florida, seeks authority to provide intraLATA and interLATA interexchange telecommunications services in Nebraska. Notice of the application appeared in The Daily Record on July 2, 1997. No protests were filed; therefore, this application was administered pursuant to the Commission's Rules of Modified Procedure.

Applicant was incorporated under the laws of the state of Florida on April 21, 1993, and received its certificate of authority to transact business in Nebraska as a foreign corporation on July 2, 1997. Applicant is in the process of obtaining required authority to operate in the 48 contiguous states and Hawaii. No state has denied applicant a certificate of authority.

Applicant's communications network in Nebraska will utilize the telecommunications facilities of AT&T, Sprint and other carriers certificated with the Commission. The company's name and customer service number are printed on all its bills. In addition, applicant has a toll-free 800 number for customer service.

Applicant will offer 1+ interexchange telecommunications, 800 services, travel cards and prepaid calling cards statewide to both residential and business customers.

Financial statements submitted by the applicant for the most recent interim period ending May 31, 1997, indicate that no income has yet been realized. Staff made additional inquiries of the company to ascertain financial fitness. The applicant presented up-

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dated financial statements, projected income statements and a business plan.

The staff review of the applicant's projections and business plan indicates profitability will be achieved during early 1998. The underlying projections and business plan for profitability appear reasonable. Total assets have grown from \$332,100 in May 1997 to \$647,781 for the period ending September 30, 1997.

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, the Commission finds: 1) Applicant has provided all the information required by the Commission; 2) Applicant has adequate financial resources to provide the proposed service; 3) Applicant possesses adequate technical competency to provide the proposed service; and 4) The application should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-1578 be, and it is hereby, granted and USA Tele Corp. 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 and, (c) a copy of the latest Form 10-K filed with the Securities and Exchange Commission. If applicant is unable to file items (a), (b) and (c), it shall submit a copy of its balance sheet and income statement for the previous year of operation and schedules showing telephone plant and equipment located within the state, accumulated depreciation thereon, operating revenues, operating expenses, and taxes applicable to Nebraska operations or a statement that no operations were conducted.

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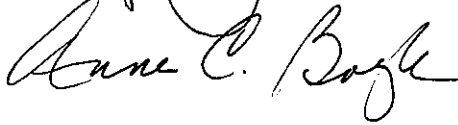
IT IS FURTHER ORDERED that applicant file a tariff within thirty days.

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.

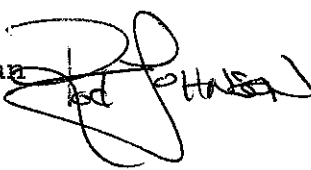
MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of December, 1997.

NEBRASKA PUBLIC SERVICE COMMISSION


COMMISSIONERS CONCURRING:

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

Chairman 

ATTEST:


Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
