

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1622
of Efficacy Group, Inc., of)
Greenville, South Carolina, seek-)
ing authority to operate as a re-) GRANTED
sale carrier of intrastate inter-)
LATA and intraLATA interexchange)
telecommunications services)
within the state of Nebraska.) Entered: October 21, 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 September 10, 1997, Efficacy Group, Inc., ("EGI" or "Applicant") of Greenville, South Carolina, seeks authority to provide intraLATA and interLATA interexchange telecommunications services in Nebraska. Notice of the application appeared in The Daily Record on September 11, 1997. No protests were filed; therefore, this application was administered pursuant to the Commission's Rules of Modified Procedure.

EGI was incorporated under the laws of South Carolina on April 7, 1997, and received its certificate of authority to transact business in Nebraska as a foreign corporation on August 26, 1997. Applicant has filed for and plans to become certificated in 12 states. Applicant has authority to operate in four states. No state has denied applicant a certificate of authority.

EGI's communications network in Nebraska will utilize the telecommunications facilities of Sprint, WorldCom 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.

EGI will offer a full range of 1+ interexchange telecommunications, 800 services, travel card, and prepaid calling card services statewide to both residential and business customers.

Annual financial statements were not available for the previous three years of operations due to EGI's recent incorporation. The financial statements submitted by the applicant for the period ending August 31, 1997, indicate that applicant has adequate financial resources with which to operate. However, due

Application No. C-1622

PAGE 2

to the short business history of the applicant, it will be required to file quarterly financial reports with the Commission for one year after entry of this order.

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-1622 be, and it is hereby, granted and Efficy Group, Inc., 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) 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 a tariff within thirty days.

IT IS FURTHER ORDERED that applicant file quarterly financial reports beginning with the fourth quarter of 1997 through the third

Application No. C-1622

PAGE 3

quarter of 1998. Each quarterly statement shall be due 30 days after the end of the quarter.

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.

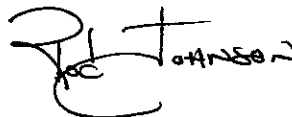
MADE AND ENTERED at Lincoln, Nebraska this 21st day of October, 1997.

NEBRASKA PUBLIC SERVICE COMMISSION

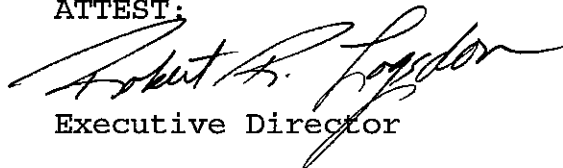
COMMISSIONERS CONCURRING:



Chairman



ATTEST:



//s//Rod Johnson

//s//Frank E. Landis

//s//Daniel G. Urwiller

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
