

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) Application No. C-1635
F & S Fiber Systems, L.L.C. of)
Scottsbluff, Nebraska seeking to) MOTION FOR RECONSIDERATION
provide intrastate interexchange) SUSTAINED
telecommunications services in the)
state of Nebraska.) Entered: May 5, 1998

BY THE COMMISSION:

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

On September 19, 1997, F & S Fiber Systems, L.L.C. (F & S) of Scottsbluff, Nebraska, filed an application to obtain authority to provide intrastate interexchange services in Nebraska. A hearing was held on the application on February 2, 1998, in the Commission Hearing Room. On March 16, 1998, the Commission granted the application, in part. Specifically, the Commission granted F & S authority to provide intrastate interexchange services to educational service units, schools, libraries and health care providers but denied F & S authority to serve businesses. On March 25, 1998, F & S filed a motion for reconsideration and requested an oral argument on the portion of the Commission's order restricting service to businesses. An oral argument on the motion was held on April 21, 1998.

Based upon statements made at the oral argument, we agree that the Commission's order restricting service to solely educational service units, schools, libraries and health care providers is unreasonable. In accordance with state statutes and the Commission's rules, F & S has demonstrated it has the technical, managerial and financial fitness to provide intrastate interexchange services in Nebraska. We find the restrictions contained in the March 16, 1998, order should be vacated and the motion should be sustained.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Motion for Reconsideration filed by F & S Fiber Systems, L.L.C. be, and it is hereby, sustained.

IT IS FURTHER ORDERED that the provisions of the March 16, 1998, order restricting F & S Fiber Systems, L.L.C. from serving business customers be, and they are hereby, vacated.

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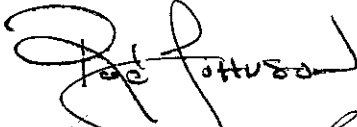
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MADE AND ENTERED at Lincoln, Nebraska, this 5th day of May, 1998.

COMMISSIONERS CONCURRING:

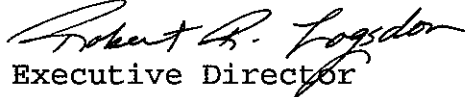
NEBRASKA PUBLIC SERVICE COMMISSION


Chairman





ATTEST:


Executive Director

//s//Lowell C. Johnson
//s//Daniel G. Urwiller