

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-1640  
of Galaxy Telecom, L.P. of )  
Sikeston, Missouri seeking author- ) INTERIM AUTHORITY GRANTED  
ity for expansion of service )  
territory. ) Entered: October 8, 1997

BY THE COMMISSION:

By application filed September 26, 1997, Galaxy Telecom, L.P. (Galaxy) of Sikeston, Missouri seeks authority to expand its service territory. Notice of the application was published in The Daily Record, October 1, 1997. The period to file protests or interventions in this matter expires October 31, 1997.

By motion filed October 7, 1997, Galaxy seeks immediate approval to expand its service territory. In support of its motion, Galaxy states it has entered into contracts with several Educational Service Units and educational institutions to provide interactive distance education system services for the fall semester of 1997, commencing October 3, 1997. Several of these educational institutions are located in communities which would require a grant of additional authority.

Galaxy obtained authority to operate in Nebraska pursuant to C-1485. In its application and in a public hearing held May 22, 1997, Galaxy proved its financial, managerial and technical competency to provide telecommunications services in territories in Nebraska served by its existing cable network. The telecommunications services Galaxy was authorized to provide were identified by the Commission in C-1485. The present application merely expands the service territory previously authorized in C-1485.

Upon reviewing the motion for interim authority, and the need for expediency in this decision, we find the motion should be granted. The purpose for which Galaxy seeks to expand its service territory, which is authorized by the Commission in C-1485, is in the public interest, however, Galaxy contracted to deliver telecommunications services in areas of Nebraska without regard to the regulatory approval it was to first obtain. Henceforth, Galaxy must better plan its deployment schedule and its need for additional regulatory authority.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-1640 be, and it is hereby, approved. If protests or formal interventions are timely filed in this docket, the interim decision rendered herein shall remain in effect until a final determination is made.

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IT IS FURTHER ORDERED that this interim authority does not abrogate the rights of any party to timely protest or intervene in this docket.

IT IS FURTHER ORDERED that this interim authority does not enhance, or expand the services Galaxy was authorized to provide in C-1485.

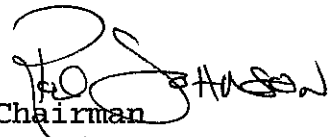
IT IS FURTHER ORDERED that the Commission's decision to expedite the process for expanding Galaxy's service territory shall not serve as binding precedent upon which future applicants shall rely.

MADE AND ENTERED at Lincoln, Nebraska, this 8th day of October, 1997.

COMMISSIONERS CONCURRING:

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

NEBRASKA PUBLIC SERVICE COMMISSION

  
Chairman

ATTEST:

COMMISSIONERS DISSENTING:  
//s//Commissioner Anne Boyle

  
Executive Director