

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-1774  
of MVX Communications, LLC )  
of San Mateo, California, )  
seeking authority to operate as ) GRANTED  
a resale common carrier of tele- )  
communications services within )  
the state of Nebraska. ) Entered: May 5, 1998

BY THE COMMISSION:

By application filed March 10, 1998, MVX Communications, LLC (Applicant) of San Mateo, California, seeks authority to provide intraLATA and interLATA resold interexchange telecommunications services in Nebraska. Notice of the application appeared in The Daily Record on March 12, 1998. No protests were filed; therefore, this application was administered pursuant to the Commission's Rules of Modified Procedure.

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

Applicant was incorporated under the laws of the state of Nevada on December 5, 1997, as MultiVox Communications, LLC and changed its name to MVX Communications, LLC on January 20, 1998. Applicant has received authorization from the Nebraska Secretary of State to conduct business in Nebraska. Applicant plans to offer interexchange services on a resale basis throughout Nebraska. Applicant plans to offer 1+, calling card, 800 services and prepaid calling card services by its underlying carriers, IXC, PNG or other certificated carriers. Applicant filed evidence demonstrating its financial and technical competency.

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-1774 be, and it is hereby, granted

Application No. C-1774

PAGE 2

and MVX Communications, LLC 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.



IT IS FURTHER ORDERED that applicant file its current tariff prior to offering service pursuant to the certificate granted in this order.

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 5th day of May, 1998.

COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE COMMISSION

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

  
 Chairman

ATTEST:

  
 Executive Director