

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-1877  
of Level 3 Communications, LLC of )  
Louisville, Colorado, seeking )  
authority to operate as a resale ) GRANTED  
carrier of intrastate interLATA and )  
intraLATA telecommunications )  
services within the state of )  
Nebraska. ) Entered: September 21, 1998

BY THE COMMISSION:

By application filed August 5, 1998, Level 3 Communications of Louisville, Colorado, seeks authority to provide intraLATA and interLATA resold telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on August 6, 1998, pursuant to the rules of the Commission. No protests were filed.

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

Applicant is organized under the laws of the state of Delaware and has received authorization from the Nebraska Secretary of State to conduct business in Nebraska. Applicant plans to offer all forms of resold and facilities-based, switched and dedicated, intrastate interexchange telecommunications services to subscribers to and from all points in the state of Nebraska.

Applicant currently does not propose to provide alternative operator services nor require advance payments or deposits. Applicant has yet to identify its underlying carrier(s) for resale service, but will do so prior to offering services within the state of Nebraska. Applicant filed evidence demonstrating its financial, technical and managerial 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 applicant has provided all the information required by the Commission, possesses adequate financial resources to provide the proposed service, and possesses adequate technical and managerial competency to provide the proposed service. The application should be granted.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-1877 be, and it is hereby, granted and Level 3 Communications of Louisville, Colorado, is 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 these are not available, applicant shall submit a balance sheet and income statement for the previous year of operation, as well as the investment made in telephone plant and equipment located within the state, accumulated depreciation thereon, operating revenues and expenses, and taxes.

IT IS FURTHER ORDERED that applicant identify its underlying carrier(s) for resale service prior to offering service pursuant to the certificate granted in this order.

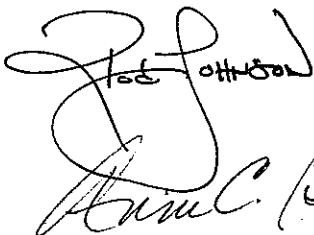
IT IS FURTHER ORDERED that applicant file its current tariff prior to offering service pursuant to the certificate granted in this order.

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.

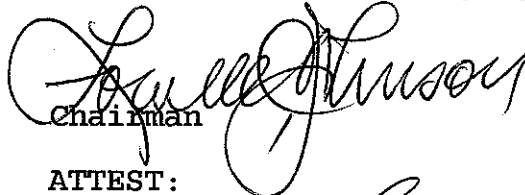
MADE AND ENTERED at Lincoln, Nebraska this 21st day of September, 1998.

NEBRASKA PUBLIC SERVICE COMMISSION

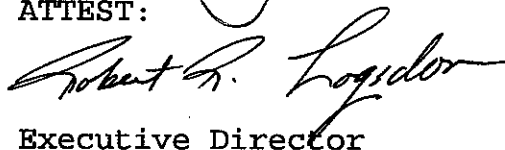
COMMISSIONERS CONCURRING:



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

  
Chairman

ATTEST:

  
Executive Director