

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-1987  
of America One Communications, )  
Inc. of Vienna, Virginia, )  
seeking to obtain a Certificate )  
of Public Convenience and ) GRANTED  
Necessity as a reseller of )  
interexchange telecommunications )  
services within the state of )  
Nebraska. ) Entered: March 9, 1999

BY THE COMMISSION:

By application filed January 29, 1999, America One Communications, Inc. (Applicant) of Vienna, Virginia, seeks authority to provide intraLATA and interLATA resold interexchange telecommunications services in Nebraska. Notice of the application appeared in The Daily Record on February 1, 1999. 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 is a wholly-owned indirect subsidiary of Capital One Corporation (Capital One), a publicly-traded Delaware corporation. Applicant has received authority to transact business in Nebraska. Applicant plans to offer "1+", casual calling dial-around services, postpaid calling cards and toll-free services throughout Nebraska. Applicant filed evidence demonstrating its technical and financial competency.

Interexchange reseller applications are subject to Commission jurisdiction under Neb. Rev. Stat. secs. 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-1987 be, and it is hereby,

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granted and America One Communications, Inc. is hereby authorized to operate as a resale carrier of intrastate interexchange intra-LATA 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 9th day of March, 1999.

COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE COMMISSION

Chairman

ATTEST:

Executive Director

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