

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2001
of Airnex Communications, Inc.)
of San Ramon, California, seeking)
authority to operate as a common) GRANTED
carrier of telecommunications)
services within the state of)
Nebraska.) Entered: March 30, 1999

BY THE COMMISSION:

By application filed February 19, 1999, Airnex Communications, Inc. (Applicant) of San Ramon, California, seeks authority to operate as a resale carrier of interexchange telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 22, 1999, pursuant to the rules of the Commission. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

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

Applicant is a corporation organized under the laws of the state of California and has received authorization from the Nebraska Secretary of State to conduct business in Nebraska. Applicant plans to offer switched and dedicated access 1+ long distance telecommunications services suitable for voice and limited data applications throughout the state of Nebraska. Applicant will utilize an underlying carrier certificated by this Commission. Applicant filed evidence demonstrating its financial, technical and managerial 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 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.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2001 be, and it is hereby, granted and Airnex Communications, Inc. of San Ramon, California, is authorized to operate as a resale carrier of intrastate interexchange intraLATA and interLATA telecommunications services within the state of Nebraska.

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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 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 30th day of March, 1999.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Ann C. Boyle

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

Lowell C. Johnson
Chairman

ATTEST:

Robert R. Logsdon
Executive Director