

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-2065  
of KMC Telecom III, Inc. of )  
Bedminster, New Jersey, seeking )  
authority to operate as an inter- ) GRANTED  
exchange carrier of telecommuni- )  
cations services within the state )  
of Nebraska. ) Entered: August 24, 1999

BY THE COMMISSION:

By application filed June 10, 1999, KMC Telecom III, Inc. (Applicant) of Bedminster, New Jersey, seeks authority to operate as an interexchange carrier of telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on June 15, 1999. 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 privately-held corporation organized under the laws of Delaware, and has received authority to conduct business in Nebraska from the Secretary of State. Applicant proposes to offer all forms of resold, dedicated and switched, intrastate interexchange telecommunications services, including 1+ service, 1010XXX service, prepaid and postpaid calling cards, operator services, and toll-free service, to subscribers throughout the entire state of Nebraska. Applicant will utilize MCI WorldCom or other certificated carriers as its underlying carrier. Applicant filed evidence demonstrating its financial, managerial, and technical 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-2065 be, and it is hereby, granted and KMC Telecom III, Inc. is authorized to operate as an

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interexchange carrier of telecommunications services within 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.

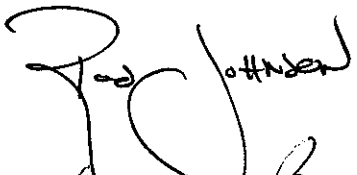

IT IS FURTHER ORDERED that applicant file its current tariff prior to offering service pursuant to the certificate granted in this order.

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.

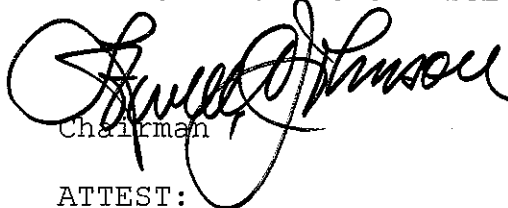
MADE AND ENTERED at Lincoln, Nebraska, this 24th day of August, 1999.

COMMISSIONERS CONCURRING:


NEBRASKA PUBLIC SERVICE COMMISSION

//s//Lowell C. Johnson  
//s//Daniel G. Urwiller

  
Chairman

ATTEST:

  
Executive Director