

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2076
of Long Distance of Michigan, Inc.,)
dba LDMI Long Distance of Ham-)
tramck, Michigan, seeking authority) GRANTED
to transfer certain assets of)
American Telcom, Inc., dba FoneTel)
of Lathrup Village, Michigan.) Entered: October 19, 1999

BY THE COMMISSION:

By application filed July 2, 1999, Long Distance of Michigan, Inc., dba LDMI Long Distance (LDMI) of Hamtramck, Michigan, seeks approval to transfer certain assets of American Telcom, Inc., dba FoneTel (FoneTel) of Lathrup Village, Michigan. Notice of the application was published in The Daily Record, Omaha, Nebraska, on July 9, 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

LDMI is a Michigan corporation previously authorized by this Commission to provide resold interexchange telecommunications services in Nebraska on January 27, 1998, pursuant to Docket No. C-1672.

FoneTel is also a Michigan corporation, and was originally authorized by this Commission to provide resold interexchange telecommunications services on October 15, 1997, pursuant to Docket No. C-1618. FoneTel's certification was revoked by this Commission on August 10, 1999, in Docket No. C-2051/DC-29, for failure to file an annual report with the Commission.

This Commission is granted authority to approve, condition or deny proposed transfers of control by several sections of the Nebraska Revised Statutes and Commission Rules and Regulation. See Neb. Rev. Stat. Sec. 75-146; Title 291 Neb. Admin. R. & Regs. Chapter 5, Section 002.26. This authority, as further articulated in the Commission's March 10, 1998 Clarification Order in Docket No. C-1746/PI-19, extends to transactions "directly involving a Nebraska certificated entity." (emphasis added) See Clarification Order, pg. 6. Therefore, despite the revocation of FoneTel's authority since the filing of this application, we retain jurisdiction over this transaction due to the status of LDMI as a certificated entity.

The proposed transfer of control stems from an order of the United States Bankruptcy Court for the Eastern District of Michigan. Under the order of the Bankruptcy Court, FoneTel is authorized and directed to sell various assets, including the name, customer accounts and Carrier Identification Code, to LDMI.

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LDMI will provide service to former FoneTel customers under the same rates, terms and conditions provided for in FoneTel's tariffs. Customers have received notification of the change in communications providers and will not be inconvenienced by the change.

Upon further review of the financial, technical and managerial capabilities of LDMI, the Commission finds the application to be fair and reasonable and in the public interest. The application should be granted.

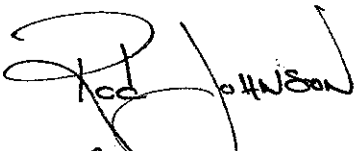

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2076 be, and it is hereby, granted.

MADE AND ENTERED at Lincoln, Nebraska, this 19th day of October, 1999.

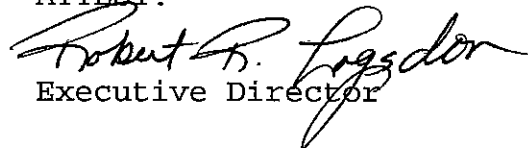
COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director

//s//Lowell C. Johnson
//s//Frank E. Landis