

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2114
of TON Services, Inc. of Ogden,)
Utah, seeking authority to operate)
as a resale carrier of intrastate) GRANTED
interLATA and intraLATA telecom-)
munications services within the)
state of Nebraska.) Entered: November 4, 1999

BY THE COMMISSION:

By application filed August 31, 1999, TON Services, Inc. (Applicant) of Ogden, Utah, seeks authority to operate as a resale carrier of intrastate interLATA and intraLATA telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on September 1, 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 Utah, and has received authority to conduct business in Nebraska from the Secretary of State. The applicant will only provide prepaid calling cards, and will do so throughout the entire state of Nebraska. Applicant is a non-facilities based carrier and will utilize existing 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-2114 be, and it is hereby, granted and TON Services, Inc. is authorized to operate as a resale carrier of intrastate interLATA and intraLATA telecommunications services in 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)

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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.

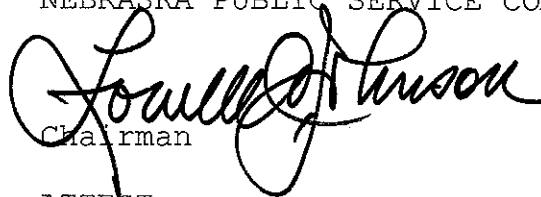
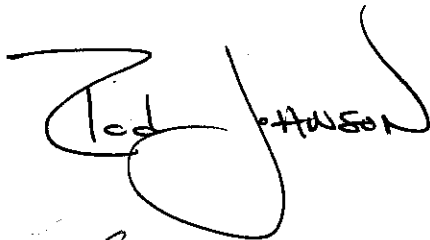
IT IS FURTHER ORDERED that applicant file its current tariff prior to offering service pursuant to the certificate granted in this order.

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.

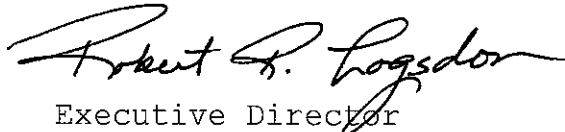

MADE AND ENTERED at Lincoln, Nebraska, this 4th day of November, 1999.

COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director

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