

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-2226  
of ezTel Network Services, LLC )  
of Ridgeland, Mississippi, seek- )  
ing authority to operate as a ) GRANTED  
resale common carrier of tele- )  
communications services within )  
the state of Nebraska. ) Entered: April 11, 2000

BY THE COMMISSION:

By application filed February 22, 2000, ezTel Network Services, LLC (Applicant) of Ridgeland, Mississippi, seeks authority to operate as a resale common carrier of telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 24, 2000. 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 Mississippi limited liability company and has received authority to conduct business in Nebraska from the Secretary of State. Applicant is a non-facilities-based carrier and will rely on the technical capabilities of Qwest, Frontier/Global Crossing, MCI WorldCom or other existing certificated carriers from which the applicant leases facilities. The applicant proposes to offer switched and dedicated access "1+" long distance services throughout the entire state of Nebraska. The applicant has received authority to provide telecommunications services in 20 states. Applicant filed evidence demonstrating its financial and technical competency.

Interexchange reseller applications are subject to Commission jurisdiction under Neb. Rev. Stat. §§ 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 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-2226 be, and it is hereby, granted and ezTel Network Services, LLC is authorized to operate as a resale common carrier of 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)

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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, to the extent applicable, the applicant shall comply with all laws pertaining to, and all rules and regulations promulgated under, the Telecommunications Relay System Act (Neb. Rev. Stat. §§ 86-1302 to 86-1307) and the Nebraska Telecommunications Universal Service Fund Act (Neb. Rev. Stat. §§ 86-1402 to 86-1410).

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 11th day of April, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*James E. Roman*  
*Bruce C. Boyle*  
*Carl J. Jansen*

*Mark Sander*  
Chairman

ATTEST:

*Robert R. Loggson*  
Executive Director