

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2261
of Touch America, Inc., Butte, Montana,)
for authority to operate as a resale) GRANTED
and facilities-based interexchange)
carrier of telecommunications services)
within the state of Nebraska.) Entered: May 31, 2000

BY THE COMMISSION:

By application filed April 3, 2000, Touch America, Inc. (Applicant) of Butte, Montana, seeks authority to operate as a resale and facilities-based interexchange carrier of telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on April 4, 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 the wholly-owned subsidiary of a publicly-traded corporation, the Montana Power Company (MPC). Applicant has been organized under the laws of the state of Montana since July 13, 1983. Applicant has received authority to conduct business in Nebraska from the Secretary of State. The applicant proposes to offer switched and dedicated access, 1+ dialing, toll-free services, and calling card long distance telecommunications services to residential and business customers in the state of Nebraska. The applicant's services will be provided through local exchange and/or other connecting carriers. The applicant will not provide alternative operator services nor require advanced payments or deposits. Billing for direct-dialed services provided by Touch America will be handled by the applicant in conjunction with the underlying carrier. A toll free number will be available for customer inquiries and complaints.

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 the 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-2261 be, and it is hereby, granted and Touch America, Inc. is authorized to operate as a resale and

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facilities-based interexchange 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) 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 Nebraska statutes and the rules and regulations of this Commission including, but not limited to 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).


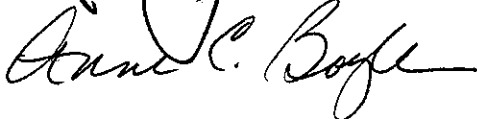
IT IS FURTHER ORDERED that applicant file its current tariff prior to offering service pursuant to the certificate granted in this order.

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.

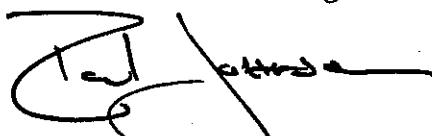
MADE AND ENTERED at Lincoln, Nebraska, this 31st day of May, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


 Chairman


 //s//Frank E. Landis
 //s//Daniel G. Uwiller

ATTEST:


 Executive Director