

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-2331  
of Cybertel, Communications Corp. )  
of San Diego, California, seeking )  
authority to operate as a resale ) GRANTED  
carrier of intrastate telecommu- )  
nication services within the )  
state of Nebraska. ) Entered: August 1, 2000

BY THE COMMISSION:

By application filed June 23, 2000, Cybertel, Communications Corp. (Cybertel) of San Diego, California, seeks authority to operate as a resale carrier of intrastate telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on June 27, 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

Cybertel is a Nevada corporation principally located in San Diego, California, and has received authority from the Secretary of State to transact business in Nebraska. Cybertel is currently authorized to provide telecommunications services in nine states, with applications for such authority pending in numerous other states. Cybertel will resell the services of MCI WorldCom; the company will lease the facilities of its underlying carrier and will not own or operate facilities or equipment of its own. Cybertel will market its services to both residential and business customers throughout the entire state of Nebraska.

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 Cybertel 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-2331 be, and it is hereby, granted and Cybertel, Communications Corp. is authorized to operate as a resale carrier of intrastate 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

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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 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).

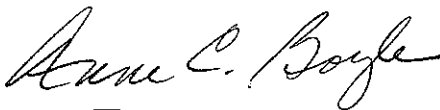
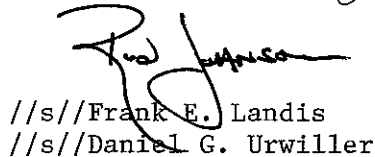
IT IS FURTHER ORDERED that applicant file its current tariff prior to offering service pursuant to the certificate granted in this order.

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 1st day of August, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chairman  
//s//Frank E. Landis  
//s//Daniel G. Urwiller

ATTEST:

  
Deputy Director