

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2345
of Pac-West Telecomm, Inc. of)
Stockton, California, seeking)
authority to operate as an) GRANTED
interexchange carrier of tele-)
communications services within)
the state of Nebraska.) Entered: August 22, 2000

BY THE COMMISSION:

By application filed July 12, 2000, Pac-West Telecomm, Inc. (Pac-West) of Stockton, California, seeks authority to operate as an interexchange carrier of telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on July 14, 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

Pac-West, a California corporation, operates as a provider of both interexchange and local exchange telecommunications services in several states. Pac-West has received authority from the Nebraska Secretary of State to transact business in Nebraska, and requests permission from this Commission to provide interexchange service in Nebraska.

Pac-West proposes to offer 1+ long distance telecommunications services suitable for voice and data applications, but does not propose to offer alternative operator services or prepaid calling cards. Pac-West proposes to offer these services throughout the entire state of Nebraska. Pac-West will provide its own billing services, and will make customer service available to its customers through a toll free 800 number 24 hours a day.

Pac-West has obtained certification to provide telecommunications services in 10 states, and intends to seek certification throughout the country. Pac-West owns switching facilities in California and several other states, but will not own any facilities in Nebraska. Pac-West is led by a competent team of managers,

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many of whom possess a number of years experience in the telecommunications industry.

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 Pac-West 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-2345 be, and it is hereby, granted and Pac-West Telecomm, Inc. is authorized to operate as an 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 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.

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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 22nd day of August, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Ann C. Boyle *Frank E. Landis*
Chairman

Daniel G. Urwiller

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

ATTEST:

And S. Pollock

Executive Director

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