

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2441
of Digital Broadband Communica-)
tions, Inc. of Waltham, Massachu-)
setts, seeking authority to) GRANTED
operate as an interexchange)
carrier of telecommunications)
services within the state of)
Nebraska.) Entered: January 9, 2001

BY THE COMMISSION:

By application filed December 1, 2000, Digital Broadband Communications, Inc. (DBC) of Waltham, Massachusetts, 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 December 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

DBC, a Delaware corporation, is a switchless, non-facilities based interexchange resale carrier providing switched and dedicated interexchange telecommunications services to business customers. DBC is authorized to provide local exchange as well as interexchange services in nine states and the District of Columbia, and is authorized to provide interexchange services only in six states. In no instance has any application been denied.

DBC has received authorization from the Secretary of State to conduct business in Nebraska and currently seeks to provide long distance telecommunications services throughout the entire state of Nebraska. DBC does not propose to provide alternative operator services nor require advanced payments or deposits. DBC owns no facilities in the state and will thus rely on the technical capabilities of its underlying carriers: WorldCom, Global Crossing, Efficacy Group and other certificated carriers.

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

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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-2441 be, and it is hereby, granted and Digital Broadband Communications, 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.

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.

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MADE AND ENTERED at Lincoln, Nebraska, this 9th day of January, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Lawrence H. Hansen

Anne C. Boyle

Daniel G. Urwiller

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

Frank E. Landis
Chairman

ATTEST:

And S. Pollock
Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
