

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-2445  
of Buehner-Fry, Inc., dba )  
Resort Operator Services of Bend, ) GRANTED  
Oregon, seeking authority to )  
operate as a resale carrier )  
within the state of Nebraska. ) Entered: January 9, 2001

BY THE COMMISSION:

By application filed December 5, 2000, Buehner-Fry, Inc., dba Resort Operator Services (BFI) of Bend, Oregon, seeks authority to operate as a resale carrier within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on December 6, 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

BFI is a Nevada corporation that has received authorization from the Secretary of State to conduct business in Nebraska and to use the trade name Resort Operator Services. BFI provides operator assisted services in 40 states and proposes to offer such service throughout the entire state of Nebraska. BFI also provides long distance service and has filed an application concurrently with the present application to provide long distance service in Nebraska (see Application No. C-2444). BFI targets its service to the hospitality industry, including vacation rental properties and interim housing for executives. BFI does not own facilities in Nebraska and will thus rely on the technical expertise of its underlying carriers. In its own right, BFI's management team possesses ample experience in the telecommunications industry, and also possesses sufficient financial resources to provide service in 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 the 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.

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## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2445 be, and it is hereby, granted and Buehner-Fry, Inc., dba Resort Operator Services is authorized to operate as a resale carrier 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.

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

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Ronald Johnson*  
*Ann C. Boyle*

*Ted Johnson*  
//s//Frank E. Landis  
//s//Daniel G. Urwiller

*Thomas J. Smith*  
Chairman

ATTEST:

*And S. Pollack*  
Executive Director