

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application     ) Application No. C-2471  
of RSL COM U.S.A., Inc. of New     )  
York, New York, seeking authority     )  
to decertify LDM Systems, Inc.     )  
as an intrastate interexchange     ) GRANTED  
carrier and for assignment of     )  
its competitive local exchange     )  
carrier authority to RSL COM     )  
U.S.A., Inc.     ) Entered: March 6, 2001

BY THE COMMISSION:

By application filed January 16, 2001, RSL COM U.S.A., Inc. (RSL COM) of New York, New York, seeks authority to decertify LDM Systems, Inc. (LDM) as an intrastate interexchange carrier and for assignment of its competitive local exchange carrier authority to RSL COM. Notice of the application was published in The Daily Record, Omaha, Nebraska, on January 18, 2001. 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

RSL COM was authorized to provide intrastate interexchange telecommunications service in Nebraska on January 27, 1998, pursuant to Application No. C-1617.

LDM, a wholly-owned subsidiary of RSL COM, was authorized to provide intrastate interexchange telecommunications services in Nebraska on October 31, 1995, pursuant to Application No. C-1210 (IXC certificate). LDM also received authority to provide competitive local exchange services in Nebraska on March 24, 1998, pursuant to Application No. C-1679 (CLEC certificate).

For cost, complexity and efficiency reasons, and to avoid unnecessary duplication of services by both RSL COM and its subsidiary, RSL COM recently made an internal business decision to consolidate the majority of its telecommunications offerings into RSL COM. RSL COM will effectuate this consolidation by merging a majority of the telecommunications assets of LDM into RSL COM, including the customer base of LDM. RSL COM will then dissolve LDM as a separate entity.

Prior to the dissolution of LDM, RSL COM requests Commission approval of the transfer of LDM's CLEC certificate to RSL COM. As LDM does not currently have any local exchange customers in Nebraska, no customer notice is necessary. This Commission has previously judged RSL COM to possess the requisite financial, technical and managerial abilities to provide telecommunications service in Nebraska. Therefore, the Commission finds that the transfer of LDM's CLEC certificate to RSL COM should be granted.

The transfer of LDM's customer base to RSL COM includes those

Nebraska customers currently receiving long distance service from LDM. Because these customers will be transferred to and receive service from RSL COM, notice has been sent to the affected customers explaining the change of provider and also notifying the customers that there will be no change in the rates, terms or conditions of service they presently receive. Customers will not experience any inconvenience or disruption of service as a result of the transfer. RSL COM further requests that following the transfer of LDM's long distance customers to RSL COM, the IXC certificate of LDM be canceled. In light of all of the above reasons, the Commission finds that the transfer of customers is in the public interest and should be granted, and LDM's IXC certificate should be canceled.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2471 be, and it is hereby, granted.

IT IS FURTHER ORDERED that the certificate of operating authority previously granted to LDM Systems, Inc. on October 31, 1995, pursuant to Application No. C-1210, be, and it is hereby, canceled.

IT IS FURTHER ORDERED that the certificate of operating authority previously granted to LDM Systems, Inc. on March 24, 1998, pursuant to Application No. C-1679, be, and it is hereby, transferred to RSL COM U.S.A., Inc.

IT IS FURTHER ORDERED that RSL COM file an updated tariff with the Commission, reflecting any changes made as a result of the transaction described in this application, within 30 days of the date of this order.

MADE AND ENTERED at Lincoln, Nebraska, this 6th day of March, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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