

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2638
of Telefyne, Inc. of Pace,)
Florida, seeking authority to)
operated as a resale common) GRANTED
carrier of telecommunications)
services within the state of)
Nebraska.) Entered: January 8, 2002

BY THE COMMISSION:

By application filed November 30, 2001, Telefyne, Inc. (Telefyne) of Pace, Florida, seeks authority to operate as a resale common carrier of telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on June 11, 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

Telefyne is a Nevada Corporation that has its principal headquarters in Pace, Florida. Telefyne is in the process of obtaining authorization to provide services in the 48 contiguous states and Hawaii. In no instance has any application been rejected or denied.

Telefyne is a switch-based reseller of telecommunications services provided over the network of its underlying carrier, BTI, Cable & Wireless, Qwest & Global Crossing. Telefyne neither owns nor leases equipment or facilities used for transport of telecommunications in Nebraska. Telefyne will be dependent on the technical capabilities of its underlying carriers.

Telefyne proposes to offer switched and dedicated 1+ long distance telecommunications services suitable for voice and limited data applications in the state of Nebraska, along with prepaid calling cards, postpaid calling cards, toll-free service and directory assistance. Telefyne also intends to provide alternative operator services, however, will not require advance payments or deposits.

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 Telefyne 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-2638 be, and it is hereby, granted and Telefyne, Inc. is authorized to operate as a resale carrier of telecommunications services in 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 8th day of January, 2002.

COMMISSION
COMMISSIONERS CONCURRING:

NEBRASKA PUBLIC SERVICE

Chair

ATTEST:

Executive Director