

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2665
of ECI Communications, Inc.,)
d/b/a ITS Network Services of)
Fresno, California, seeking) GRANTED
authority to operate as an)
interexchange carrier of)
telecommunications services)
within the state of Nebraska.) Entered: March 19, 2002

BY THE COMMISSION:

By application filed January 25, 2002, ECI Communications, Inc., d/b/a ITS Network Services (ECI) of Fresno, 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 January 28, 2002. 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

ECI is a Nevada corporation with its headquarters in Fresno, California. ECI has received approval from the Secretary of State to conduct business in Nebraska as a foreign corporation. Applicant is in the process of obtaining required authorizations to provide telecommunications services in 27 states. In no instance has any application been denied or rejected. In addition, no officer, director or shareholder having five percent or more of applicant's voting security has been involved in a formal complaint or other investigatory or enforcement proceeding.

Applicant proposes to offer switched and dedicated access 1+ long distance telecommunications services suitable for voice and limited data applications in the State of Nebraska. The applicant will not provide alternative operator services nor will require advance payments or deposits.

Applicant plans to operate as a switchless, non-facilities based reseller of telecommunications services provided over the networks of its underlying carrier, Global Crossing. Therefore, applicant is solely dependent on the technical capabilities of its underlying carrier. In the future, the applicant may provide service using the network facilities of other underlying carriers that have been authorized by the Commission to provide service in the state of 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 ECI 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-2665 be, and it is hereby, granted and ECI Communications, Inc., d/b/a ITS Network Services 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.

MADE AND ENTERED at Lincoln, Nebraska, this 19th day of March, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director