

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2725
of North By NortheastCom, L.L.C.)
of Beaverton, Oregon, seeking)
authority to operate as a resale)
carrier of intrastate, interLATA) GRANTED
and intraLATA telecommunications)
services within the state of)
Nebraska.) Entered: May 22, 2002

BY THE COMMISSION:

On April 18, 2002, an application was filed by North By NortheastCom, L.L.C. (North) of Beaverton, Oregon, seeking authority to operate as a resale carrier of intrastate, interLATA and intraLATA telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on April 10, 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

North is a Delaware Corporation with its headquarters in Beaverton, Oregon. North has been authorized by the Secretary of State to operate in Nebraska as a foreign corporation. No officer, director or shareholder having five percent or more of the applicant's voting securities has been involved in a formal complaint or other investigatory or enforcement proceeding.

North is a switched-based reseller of interexchange telecommunications services. North proposed to offer National Directory Assistance with call completion, long distance transport and enhanced directory services.

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 North 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-2726 be, and it is hereby, granted and North By NortheastCom, LLC is authorized to operate as a resale carrier of intrastate, interLATA and intraLATA 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 a 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 22nd day of May, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION
COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director