

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2776
of VP Telecom of Sioux Falls,)
South Dakota, seeking authority)
to obtain a certificate to pro-) GRANTED
vide competitive interexchange)
long distance telecommunications)
services in the state of)
Nebraska.) Entered: September 11, 2002

BY THE COMMISSION:

On August 7, 2002, an application was filed by VP Telecom (VP) of Sioux Falls, South Dakota, seeking authority to obtain a certificate to provide competitive interexchange long distance telecommunications services in the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on August 8, 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

VP is a South Dakota Corporation with its headquarters in Sioux Falls, South Dakota. VP has been authorized by the Secretary of State to operate in Nebraska as a foreign corporation. In addition, 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.

Applicant intends to operate as a long distance telecommunications provider of service in the state of Nebraska. Applicant intends to offer a full range of competitive telecommunications services to both business and residential consumers. Applicant intends to market all forms of switched and dedicated telecommunications services, including data and Internet 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 VP 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-2776 be, and it is hereby, granted VP Telecom is authorized to provide competitive interexchange 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 11th day of
September, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director