

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application     ) Application No. C-3056  
of NorVergence, Inc., of Newark,     )  
New Jersey, seeking authority to     )  
operate as an interexchange           ) GRANTED  
carrier of telecommunications         )  
services within the State of         )  
Nebraska.                               ) Entered: January 13, 2004

BY THE COMMISSION:

On November 26, 2003, an application was filed by NorVergence, Inc. (NorVergence) of Newark, New Jersey, seeking authority to operate as an interexchange carrier of telecommunications services in the State of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on December 2, 2003. 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

NorVergence is a New Jersey corporation with its headquarters in Newark, New Jersey. NorVergence has been authorized by the Secretary of State to operate in Nebraska as a foreign corporation.

Applicant is a switch-based interexchange resale carrier, which intends to provide switched and dedicated interexchange telecommunications services to businesses in the State of Nebraska. Applicant proposes to offer switched and dedicated access 1+ long distance telecommunications service suitable for voice and limited data applications. Applicant initially proposes to provide its interexchange services in the geographic areas currently served by Qwest, but asks for statewide authority for future expansions.

Interexchange reseller applications are subject to Commission jurisdiction under Neb. Rev. Stat. §§ 86-128 and 86-129 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 NorVergence has provided all the information required, 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-3056 be, and it is hereby, granted and NorVergence, Inc. is authorized to operate as an interexchange 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, together with the appropriate filing fee.

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. §§ 86-301 to 86-315) and the Nebraska Telecommunications Universal Service Fund Act (Neb. Rev. Stat. §§ 86-316 to 86-329).

IT IS FURTHER ORDERED that Applicant file its current tariff and pay the appropriate filing fee 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 13th day of  
January, 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director