

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application     ) Application No. C-3097  
of Touch America, Inc., Butte,        )  
Montana, seeking to withdraw its       )  
operating authority as a resale        )  
and facilities-based                    ) GRANTED  
interexchange carrier of                )  
telecommunications services             )  
within the state of Nebraska,          )  
originally granted pursuant to         )  
Application No. C-2261.                 ) Entered: March 2, 2004

BY THE COMMISSION:

By application filed January 16, 2004, Touch America, Inc. (Touch America), of Butte, Montana, seeks to withdraw its operating authority as a resale and facilities-based interexchange carrier of telecommunications services within the state of Nebraska, which was originally granted pursuant to Application No. C-2261. Notice of the application was published in The Daily Record, Omaha, Nebraska, on January 29, 2004. 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

Touch America was authorized by this Commission to operate as a resale and facilities-based interexchange carrier of telecommunications services within the state of Nebraska on May 31, 2000, pursuant to Application No. C-2261.

By letter dated January 22, 2004, Touch America requested that the Commission cancel all state telecommunications licenses issued to the company and cancel and withdraw the company's tariffs. On June 19, 2003, Touch America Holdings, Inc. and certain other of its subsidiaries, including Touch America, filed voluntary Chapter 11 bankruptcy to reorganize their business and financial structure. This request is part of that reorganization. Touch America will not have any Nebraska customers by February 28, 2004. All of their previous Nebraska customers will have transferred or terminated their service with Touch America by that date.

Upon consideration of the request and being fully advised, the Commission finds the request to be reasonable and finds that Touch America may withdraw its operating authority as a resale and facilities-based interexchange carrier of telecommunications services within the state of Nebraska, originally granted in Application No. C-2261.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3097 be, and it is hereby, granted and the state telecommunication authority and company tariffs granted to Touch America are withdrawn.

MADE AND ENTERED at Lincoln, Nebraska, this 2nd day of March 2004.

NEBRASKA PUBLIC SERVICE COMMISSION  
COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director