

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3904
of Broadview Networks Inc., Rye)
Brook, New York, and ATX)
Licensing, Inc., Rye Brook, New) GRANTED
York, seeking authority to)
migrate customers among)
affiliated companies.) Entered: March 25, 2008

BY THE COMMISSION:

On February 6, 2008, a joint application was filed by Broadview Networks, Inc., (Broadview or applicant) and ATX Licensing, Inc., (ATX or applicant) of Rye Brook, New York, seeking authority to migrate customers among affiliated companies. Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 8, 2008. 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

Broadview is a New York corporation with headquarters in Rye Brook, New York. Broadview is a wholly-owned subsidiary of Broadview Networks Holdings, Inc. Broadview is authorized to provide interexchange services in Nebraska pursuant to the authority granted by the Commission in Docket C-3884. Broadview has not yet commenced service in Nebraska.

ATX is a Delaware corporation with headquarters in Rye Brook, New York. ATX is also authorized to provide interexchange telecommunications services pursuant to the authority granted by the Commission in Docket C-3362.

The applicants propose to consolidate a substantial portion of the ATX customer base into the Broadview customer base. Broadview will continue to provide services to the migrated customers under the same rates, terms and conditions currently provided by ATX. Customers of ATX migrating to Broadview will be provided at least thirty (30) days advance written notice of the planned customer migration. A copy of the customer notification letter was attached to the application. The application states this transaction will enable Broadview to increase its efficiency and lower its costs of operation. These efficiencies will allow Broadview to better serve its customers.

Applicants do not request transfer of any certificates of public convenience and necessity. ATX will continue to operate as a provider of long distance telecommunications services following consummation of this transaction.

Based on the evidence, we find the application to be fair and reasonable and in the public interest. The application should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3904, be, and it is hereby, granted.

MADE AND ENTERED at Lincoln, Nebraska, this 25th day of March, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director