

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-4650
of IntelPeer, Inc., Chicago,)
Illinois, seeking transfer of) GRANTED
control to Peerless Network,)
Inc., Chicago, Illinois.) Entered: February 19, 2014

BY THE COMMISSION:

On December 26, 2013, an application was jointly filed by IntelPeer, Inc., ("IntelPeer"), Chicago, Illinois and Peerless Network, Inc., ("Peerless"), of Chicago, Illinois, (collectively "Applicants"), seeking approval of a transfer of control of IntelPeer to Peerless. Notice of the application was published in The Daily Record, Omaha, Nebraska, on January 1, 2014. 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

The Parties:

IntelPeer is a Delaware corporation with principal offices located in Chicago, Illinois. IntelPeer is authorized to provide interexchange telecommunications services in Nebraska under and by virtue of authority heretofore granted by this Commission.¹

Peerless is a Delaware corporation with its principal place of business located in Chicago, Illinois. Peerless operates as a competitive local exchange carrier (CLEC), a competitive tandem provider and long distance telecommunications carrier throughout the United States. Peerless is not authorized to provide interexchange telecommunications services in Nebraska.

Description of the Transaction:

According to the application, on November 29, 2013, Peerless Network entered into a stock purchase agreement ("Agreement") whereby Peerless acquired all control of IntelPeer. As a result of the Agreement, IntelPeer is a direct subsidiary of Peerless.

Upon completion of the Agreement, the Applicants state IntelPeer will continue to operate its facilities and provide service to its customers at the same rates, terms and conditions in Nebraska as it does currently. The Applicants will continue

¹ See Docket C-4229 (January 5, 2010).

to provide service under their current names. The transaction will be largely seamless and transparent to customers.

The Applicants state that the transaction is in the public interest and will reinforce the status of IntelePeer as a viable competitor for Nebraska consumers. Applicants state consummation of this transaction will permit the companies to operate more efficiently through enhanced routing capabilities and financial synergies. Further, the increased economies of scale will enable the companies to develop new products and services. 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 the above-captioned application be, and it is hereby, granted.

MADE AND ENTERED at Lincoln, Nebraska, this 19th day of February, 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gene Boye
Tim Schram
Red [unclear]
Gerald L. Voss

Frank E. Landis
Chairman

ATTEST:

Steve Meredith
Executive Director

//s//Frank E. Landis