

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application)	Application No. C-4686
of Neutral Path Communications,)	
LLC, Mankato, Minnesota, seeking)	
authority for a certificate of)	
public convenience and necessity)	GRANTED
to provide interlata and)	
intralata private line transport)	
services.)	Entered: July 29, 2014

BY THE COMMISSION:

On May 20, 2014, an application was filed by Neutral Path Communications, LLC, ("Applicant"), Mankato, Minnesota, seeking authority to operate and provide interlata and intralata private line transport services within the State of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on May 23, 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

Applicant is a limited liability company organized under the laws of the State of Minnesota. Applicant 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 provides point-to-point private line transport services and colocation in Minnesota and Iowa. Applicant seeks to provide point-to-point dark fiber and/or fiber transport private line services to end user customers in the State of Nebraska. Applicant initially intends to offer service in the Omaha metropolitan area. The services will be provided via Applicant-owned and operated dark fiber optic facilities and Applicant further may purchase, lease, or otherwise acquire additional facilities from third parties to meet customer's needs. Applicant proposes to directly connect transport facilities to customer premises but does not plan to use Incumbent Local Exchange Carrier local loops or broadband connection to provide its services. Applicant plans to offer services on a retail and wholesale basis. Applicant states its services are primarily for data network service providers and/or large business customers.

Interexchange applications are subject to Commission jurisdiction under Neb. Rev. Stat. § 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 that Applicant 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-4686 be, and it is hereby, granted and Neutral Path Communications, LLC, is authorized to operate as an interlata and intralata interexchange carrier of telecommunications services within the State of Nebraska.

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 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 29th day of July, 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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COMMISSIONERS CONCURRING:

Barry Boyle
Tim Schram
Bob Janssen
Gerald Lipp

Frank E. Landis
Chairman

ATTEST:

Steve Muradith
Executive Director

//s//Frank E. Landis