

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-4719
of ILD Corp. and its regulatory)
subsidiary Intellicall Operator)
Services, Inc., Ponte Vendra) GRANTED
Beach, Florida, seeking)
authority to transfer customers)
to WiMacTel, Inc., Omaha.) Entered: November 13, 2014

BY THE COMMISSION:

On October 1, 2014, an application was jointly filed by ILD Corp. and its regulatory subsidiary Intellicall Operator Services, Inc. ("ILD"), of Ponte Vendra Beach, Florida and WiMacTel, Inc. ("WiMacTel"), of Omaha, Nebraska, (collectively "Applicants"), seeking approval of a transfer of certain aggregator location contracts and postpaid calling card customers from ILD to WiMacTel. Notice of the application was published in The Daily Record, Omaha, Nebraska, on October 3, 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:

ILD is a Delaware corporation with principal offices located in Ponte Vendra Beach, Florida. ILD is an alternate operator service, institutional, resell interexchange telecommunication service provider. ILD is authorized to provide intrastate resold interexchange telecommunication services, operator services, and inmate telecommunications services in Nebraska under and by virtue of authority heretofore granted by this Commission.¹ ILD is certified, registered, or otherwise authorized to provide alternate or aggregator operator services in 50 states and Puerto Rico.

WiMacTel is a Delaware corporation with its principal place of business located in Omaha, Nebraska. WiMacTel is authorized to provide intrastate resold interexchange telecommunications services and facilities-based and resold local exchange services in Nebraska under and by virtue of authority heretofore granted by this Commission.² WiMacTel is authorized to provide either interexchange, alternate or aggregator operator services and competitive local services in 48 states.

¹ See Docket C-907 (January 29, 1992), and Docket C-1529 (June 28, 1997).

² See Docket C-4315 (January 19, 2014).

Description of the Transaction:

According to the application, ILD and WiMacTel entered into an Asset Purchase Agreement, ("Agreement") on June 16, 2014. Under the terms of the Agreement, WiMacTel will acquire from ILD all aggregator service contracts and ILD postpaid calling card customers in the State of Nebraska along with customer related data, databases, and customer records needed to support the provision of these services.

Upon completion of the proposed transaction, the Applicants state ILD's customers affected by the Agreement will continue to receive service from WiMacTel under the same rates, terms, and conditions currently provided by ILD. The Applicants further state the transition to WiMacTel will be virtually transparent to most customers. WiMacTel will assume all managerial, technical, and financial responsibilities in connection with the operation of the aggregator operator services and postpaid calling card services to Nebraska customers. WiMacTel states it will revise its tariffs to incorporate the rates, terms and conditions of service currently provided to ILD customers. Written notice of the proposed asset transfer has been provided to ILD customers via First Class U.S. Mail in May, 2014. A copy of the customer notice was attached to the application.

The Applicants state that the transaction is in the public interest because it will improve operational efficiency of both companies, providing greater opportunities to improve the price performance of services available to its customers. The Applicants further state granting the application will promote competition among telecommunications carriers in Nebraska.

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-4719 be, and it is hereby, granted.

MADE AND ENTERED at Lincoln, Nebraska, this 13th day of November, 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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COMMISSIONERS CONCURRING:

Alice Boyle
Tim Schram
Jefferson
Gerald Lipp

Frank E. Landis
Chairman

ATTEST:

Steve Meredith
Executive Director

//s//Frank E. Landis