

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application	)	Application No. C-4792
of Near North Partners, LLC,	)	
Mankato, Minnesota, seeking a	)	
certification of public	)	
convenience and necessity to	)	GRANTED
provide inter-LATA and intra-	)	
LATA private line transport	)	
services.	)	Entered: October 27, 2015

BY THE COMMISSION:

On September 15, 2015, an application was filed by Near North Partners, LLC, (Applicant), Mankato, Minnesota, seeking authority to operate and provide inter-LATA and intra-LATA private line transport services within the State of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on September 17, 2015. 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 Illinois. 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 will operate in Nebraska under the name and brand of "Neutral Path Communications" pursuant to a trademark license agreement with Neutral Path Communications, LLC. Applicant seeks to provide point-to-point optical waive service, Ethernet transport, direct Internet access and collocation, and maintenance service to end-user customers in Nebraska. Applicant will utilize dark fiber optic facilities it owns or controls and operates to provide service to its customers. Applicant may also purchase or lease other facilities from third parties to meet customer needs. Applicant plans to directly connect to customer data termination panel or internal network facilities to provide service and will not use a broadband connection. Applicant will offer service on both a retail and wholesale basis.

Applicant proposes to provide technical and network assistance twenty-four (24) hours per day, seven (7) days a week as well as customer care number for customers.

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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-4792 be, and it is hereby, granted and Near North Partners, LLC, is authorized to operate as an inter-LATA and intra-LATA private line transport 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 27<sup>th</sup> day of October, 2015.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Tim Schram*  
*Crystal Knoack*  
*Jeff Johnson*

Chairman

*Gerald L. Vap*

ATTEST:

*Jeffery L. Poley*

Executive Director

//s//Frank E. Landis  
//s//Gerald L. Vap