

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

BY THE COMMISSION:

Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 23, 2018. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

The Parties:

NNP is an Illinois limited liability company which is a wholly-owned direct subsidiary of Neutral Path Holdings, LLC ("NP Holdings"). NNP operates a fiber-based transport business providing facilities-based point-to-point transport communications facilities and related services. NP Holdings does not hold any certificates or authorizations to provide telecommunications in Nebraska; however, NNP holds authority to provide inter-LATA and intra-LATA private line transport services in Nebraska pursuant to authority granted in Commission

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Application No. C-4792. Both NNP and NP Holdings have their principal place of business in Mankato, Minnesota.

Description of the Transaction:

On January 28, 2018, Zayo entered into an Asset Purchase Agreement with NNP and its affiliate Neutral Path Connections ("NPC"). Under the terms of the Agreement, Zayo will acquire substantially all of the assets from NNP and NPC, including all network facilities and customers.

The Applicants state that under the terms of the proposed agreement, NNP's customers will continue to receive service on the same terms and conditions from Zayo without interruption or disruption. The Applicants further state that any future changes in rates, terms, and conditions of service to Zayo's customers will be undertaken pursuant to applicable federal and state notice and tariff obligations, as well as Zayo's contractual obligations.

The Applicants state that the transaction is in the public interest because it will increase competition among telecommunications carriers within Nebraska and other states, and will allow Nebraska consumers to access to a larger service platform and more extensive customer service and customer support. Included with the application is a Sample Customer Notice stating that the customer's services and facilities will not be affected and that the transaction should be transparent to the customer, and providing contact email addresses and a contact phone number.

The Applicants request that the authority previously granted to NNP in Commission Docket No. C-4792 be cancelled by the Commission upon notice from the Applicants that the transaction was completed.

Based upon the evidence presented, the Commission finds 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-4969 be, and it is hereby, granted.

IT IS FURTHER ORDERED that the authority granted by the Commission to Near North Partners, LLC, to operate and provide inter-LATA and intra-LATA private line transport services within the State of Nebraska will remain in effect until further order of the Commission.

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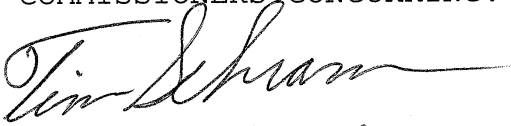

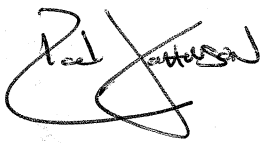
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MADE AND ENTERED at Lincoln, Nebraska, this 27th day of March, 2018.

NEBRASKA PUBLIC SERVICE COMMISSION


COMMISSIONERS CONCURRING:

//s//Frank E. Landis
//s//Mary Ridder


Chair

ATTEST:


Executive Director