BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of USA Digital Communications Inc. of Edmond, Oklahoma, seeking authority to operate as an interexchange carrier of telecommunications services within the state of Nebraska.	Application No. C-2221 GRANTED Entered: April 18, 2000

BY THE COMMISSION:

By application filed February 14, 2000, USA Digital Communications, Inc. (Applicant) of Edmond, Oklahoma, seeks authority to operate as an interexchange carrier of telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 16, 2000. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

OPINION AND FINDINGS

Applicant is a privately-held corporation, organized under the laws of the state of Nevada and has received authority to conduct business in Nebraska from the Secretary of State. Applicant is a switchless, non facilities-based interexchange resale carrier proposing to provide switched and dedicated interexchange telecommunications services to residential and business customers in the state of Nebraska. Applicant will utilize network facilities that are the property of other certificated carriers. Applicant will contract with "Switchless Reseller Services" of Norman, Oklahoma, for billing services. Customer service will be available through a toll-free number during regular business hours, and an answering service is utilized outside normal business hours for emergency purposes. Applicant will not provide alternative operator services nor own or lease facilities.

Interexchange reseller applications are subject to Commission jurisdiction under Neb. Rev. Stat. §§ 75-604 and 86-805 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 the applicant has provided all the information required by the Commission, possesses adequate financial resources to provide the proposed service and possesses adequate technical and managerial competency to provide the proposed service. The application should be granted.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2221 be, and it is hereby, granted and USA Digital Communications, Inc. is authorized to operate as an interexchange carrier of telecommunications services within the state of Nebraska.

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IT IS FURTHER ORDERED that the applicant shall file, in accordance with the applicable statutes on or before April 30th of each year, an annual report with this Commission consisting of: (a) a copy of any report filed with the Federal Communications Commission; (b) a copy of any annual report to stockholders; and (c) a copy of the latest Form 10-K filed with the Securities and Exchange Commission. If these are not available, applicant shall submit a balance sheet and income statement for the previous year of operation, as well as the investment made in telephone plant and equipment located within the state, accumulated depreciation thereon, operating revenues and expenses, and taxes.

IT IS FURTHER ORDERED that, to the extent applicable, the applicant shall comply with all Nebraska statutes and the rules and regulations of this Commission including, but not limited to the Telecommunications Relay System Act (Neb. Rev. Stat. §§ 86-1302 to 86-1307) and the Nebraska Telecommunications Universal Service Fund Act (Neb. Rev. Stat. §§ 86-1402 to 86-1410).

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 18th day of April, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

//s//Frank E. Landis

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