

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-2518  
of New Access Communications, L.L.C. )  
of Minneapolis, Minnesota, seeking )  
authority to obtain a Certificate )  
of Public Convenience and ) GRANTED  
Necessity to transact the business )  
of a reseller of interexchange )  
telecommunications services and )  
for approval of its initial tariff. ) Entered: October 30, 2001

BY THE COMMISSION:

By application filed April 13, 2001, New Access Communications, L.L.C. (New Access) of Minneapolis, Minnesota, seeks authority to obtain a Certificate of Public Convenience and Necessity to transact the business of a reseller of interexchange telecommunications services and for approval of its initial tariff. Notice of the application was published in The Daily Record, Omaha, Nebraska, on April 16, 2001. 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

New Access, a Minnesota corporation, is principally located in Minneapolis, Minnesota, and is authorized to conduct business in Nebraska. At no time has the applicant or any of its members been involved in a formal complaint or other investigatory enforcement proceeding.

Applicant seeks authority to operate as a reseller of inter-LATA and intraLATA intrastate telecommunications services to the public on a statewide basis. Applicant seeks authority to offer a full range of 1+ interexchange telecommunications services on a resale basis. Specifically, Applicant seeks authority to provide message telecommunications service, out-wide area telephone service, in-wide area telephone service and calling card services.

Applicant owns no transmission facilities. Applicant will offer service to its subscribers using the facilities of the communications networks of Sprint or other facilities-based interexchange carriers and the local exchange telephone companies. Applicant will provide telecommunications services to primarily residential users.

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 Com-

mission finds New Access 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-2518 be, and it is hereby, granted and New Access Communications, L.L.C. is authorized to transact the business of a reseller of interexchange telecommunications services in the state of Nebraska.

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 laws pertaining to, and all rules and regulations promulgated under, 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.

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MADE AND ENTERED at Lincoln, Nebraska, this day of 30th day of October, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Lowell Hansen*

*Edward J. Up*

*Aune C. Boyle*

*Frank E. Landis*

//s//Frank E. Landis

*James J. Jundt*  
Chairman

ATTEST:

*Ad S. Pollock*  
Executive Director

