

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-2591  
of Telegenius, Inc. of Metairie, )  
Louisiana, seeking authority to )  
operate as a resold ) GRANTED  
interexchange carrier of )  
telecommunications services )  
within the state of Nebraska ) Entered: March 19, 2002

BY THE COMMISSION:

By application filed September 4, 2001, Telegenius, Inc. (Telegenius) of Metairie, Louisiana, seeks authority to operate as a resold interexchange carrier of telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on September 6, 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

Telegenius is a Louisiana corporation with its headquarters in Metairie Louisiana. Telegenius has received approval from the Secretary of State to conduct business in Nebraska as a foreign corporation. Applicant is currently in the process of getting authorizations from all 50 states to conduct telecommunications services. In no instance has any application been denied or rejected. In addition, no officer, director or shareholder having five percent or more of applicant's voting security has been involved in a formal complaint or other investigatory or enforcement proceeding.

Applicant is a switchless, non-facilities based reseller of telecommunications services provided over the networks of its underlying carriers including Radiant, Astral, Network ID, Global Crossing, CNM Network and BTI. Applicant proposes to acquire and resell various voice and data communications services offered by communications interexchange carriers and to package and provide these services for the specialized functions and needs of its customers. Applicant is solely dependent on the technical capabilities of its underlying carriers.

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 Telegenius 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-2591 be, and it is hereby, granted and Telegenius is authorized to operate as a resold interexchange carrier of telecommunications services within the state of Nebraska.

IT IS FURTHER ORDERED that the applicant shall file, in accordance with the applicable statutes on or before April 30<sup>th</sup> 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.

MADE AND ENTERED at Lincoln, Nebraska, this 19th day of March, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Lowell Johnson*

*Frank E. Landis*

*Red Johnson*

//s//Anne C. Boyle  
//s//Frank E. Landis

*Anne Boyle*  
Chair

ATTEST:

*Kathy Lehman*

on behalf of the  
Executive Director

