

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3192
of Winstar Communication, LLC,)
Newark, New Jersey, seeking to) CERTIFICATE WITHDRAWN
discontinue certain services in)
Nebraska.) Entered: June 22, 2004

BY THE COMMISSION:

By application filed May 4, 2004, Winstar Communications, LLC, (Winstar) Newark, New Jersey, seeks to discontinue certain services in Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on May 5, 2004. 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

Winstar seeks authority to discontinue interexchange services, interstate and international long distance, toll free and Internet services to commercial customers. The discontinuance occurs as a part of Winstar's business plan to refocus for long-term profitability. On June 15, or as soon thereafter as the necessary regulations have been obtained, Winstar plans to discontinue services in the Omaha metropolitan area, Cass, Clay, Colfax, Dawson, Douglas, Hall, Hamilton, Holt, Howard, Knox, Lancaster, Lincoln, Nuckolls, Red Willow, Saline, Sarpy, and Scotts Bluff. The discontinuance will impact 51 interexchange service customers in Nebraska. Winstar provided notice with two letters, mailed April 7 and April 30, 2004, to all affected customers. Winstar provided customers with contact information for Z-Tel Communications, a nationwide provider, and advised customers that Z-Tel will work with former Winstar clients to convert to comparable Z-Tel service.

Winstar does not seek to surrender the certificate obtained from the Commission pursuant to Docket No. C-2658 on March 5, 2002, to provide local and interexchange telecommunications throughout Nebraska. Further, Winstar's federal government customers, Winstar's fixed wireless services, and offerings supporting mobile carrier infrastructures and other backhaul systems, and Winstar's spectrum lease offerings in Nebraska remain unaffected by this application.

Upon consideration of the request and being fully advised, the Commission finds the request to be reasonable and approves Winstar's discontinuance of interexchange services, interstate and international long distance, toll-free and Internet services to commercial customers.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3192 be, and it is hereby, granted and that Winstar's discontinuance of certain services across Nebraska be approved.

MADE AND ENTERED at Lincoln, Nebraska, this 22nd day of June 2004.

COMMISSIONERS CONCURRING: NEBRASKA PUBLIC SERVICE COMMISSION

Chairman

ATTEST:

Executive Director