

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3258
of Startec Global Licensing)
Company, Potomac, Maryland,)
seeking a certificate of public)
convenience and necessity to) GRANTED
transact the business of a)
reseller of interexchange)
telecommunication services and)
for approval of its initial)
tariff.)
) Entered: November 3, 2004

BY THE COMMISSION:

On August 27, 2004, an application was filed by Startec Global Licensing Company (Startec) of Potomac, Maryland, seeking authority to operate as a resale interexchange carrier of telecommunications services within the State of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on August 30, 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

Startec is a privately-held corporation, organized under the laws of the state of Delaware with its headquarters in Potomac, Maryland. Applicant is authorized by the Secretary of State to operate in Nebraska as a foreign corporation.

Startec seeks authority to operate as a reseller of interLATA and intraLATA intrastate telecommunications services to the public on a statewide basis and does not intend to provide operator, 900 or 700 services. Further, they seek authority to offer a full range of "1+" interexchange telecommunications services on a resale basis and, specifically, Startec seeks authority to provide MTS, out-WATS, in-WATS, and calling card services.

Applicant is a switchless, non-facilities based, interexchange resale carrier providing services suitable for voice and limited data applications to residential and business customers. All network facilities will be the property of other carriers. By the nature of resale, the Applicant's technical capability is equivalent to that of its underlying carriers.

On December 14, 2001, Startec filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy

Code. Startec emerged from bankruptcy on May 14, 2004, pursuant to the order of the United States Bankruptcy Court for the District of Maryland.

Interexchange reseller applications are subject to Commission jurisdiction under *Neb. Rev. Stat.* §§ 86-128 and 86-129 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 Startec has provided all the information required, 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-3258 be, and it is hereby, granted and Startec Global Licensing Company is authorized to operate as an interexchange carrier of 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, together with the appropriate filing fee.

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.* §§ 86-301 to 86-315) and the Nebraska Telecommunications Universal Service Fund Act (*Neb. Rev. Stat.* §§ 86-316 to 86-329).

IT IS FURTHER ORDERED that Applicant file its current tariff and pay the appropriate filing fee prior to offering service pursuant to the certificate granted in this order.

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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 3rd day of November, 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Lois Johnson

Anne C. Booze

Lois Johnson

Chairman

Gerald L. Vap

ATTEST:

Art S. Pollack

Executive Director

//s// Frank E. Landis

//s// Gerald L. Vap

