

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-3409  
of IBFA Acquisition Company, )  
LLC, Elk Grove Village, )  
Illinois, seeking authority to )  
operate as an interexchange ) GRANTED  
carrier of telecommunications )  
services within the state of )  
Nebraska. ) Entered: June 14, 2005

BY THE COMMISSION:

By application filed April 18, 2005, IBFA Acquisition Company, LLC, (IBFA) Elk Grove Village, Illinois seeks authority to provide interexchange telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on April 26, 2005. 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

IBFA is an Illinois corporation with its headquarters in Elk Grove Village, Illinois. Applicant is authorized by the Secretary of State to operate in Nebraska as a foreign corporation. In addition, no officer, director or shareholder having five percent or more of the Applicant's voting securities has been involved in a formal complaint or other investigatory or enforcement proceeding.

Applicant is a switchless, non-facilities based reseller of interexchange services provided over the networks of its underlying carriers. Applicant does not own or lease facilities. All services will be provided over the networks of underlying carriers; therefore, Applicant will rely on the technical capabilities of the underlying carriers. Applicant's underlying long distance carriers will be Qwest, Global Crossing, Wiltel Communications or other Commission-certificated carriers.

The Applicant proposes to provide services on a non-prepaid basis and plans to bill customers directly on a monthly basis. Customer service will be available via a toll-free number 24-hours a day. Applicant does not propose to provide alternative operator services or to require advanced payments or deposits.

In support of its managerial and technical capabilities, Applicant submitted a description of its president's management

and telecommunications experience as Exhibit C. In support of its financial ability to provide the proposed service, Applicant submitted a balance sheet in compliance with Neb. Admin. Code Title 291, Chapter 5, § 003.12A15.

Applicant states that a grant of the proposed application would serve the public interest. Applicant's service will provide consumers with broadened innovative telecommunication service alternatives and ongoing affordable rates.

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 that Applicant has provided all the information required by the Commission, possesses adequate financial resources to provide the proposed service and 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 C-3409 be, and it is hereby, granted and IBFA Acquisition Company, LLC, is authorized to operate as a resale carrier of intrastate interexchange telecommunication 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 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. §§ 86-301 to 86-315) and the Nebraska Telecommunications Universal Service Fund Act (Neb. Rev. Stat. §§ 86-316 to 86-329).

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IT IS FURTHER ORDERED that applicant file its current tariff, along with the appropriate fee, 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 14th day of June, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Louise Johnson*

Chairman

*Gerald L. Vap*

*Anne C. Bufe*

ATTEST:

*And S Pollak*

//s// Frank E. Landis

//s// Gerald L. Vap

Executive Director