

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-3422  
of Network PTS, Inc., San )  
Leandro, California, seeking )  
authority to operate as an )  
interexchange carrier of ) GRANTED  
telecommunications services )  
within the state of Nebraska. ) Entered: July 12, 2005

BY THE COMMISSION:

By application filed May 11, 2005, Network PTS, Inc. (Network PTS or Applicant), San Leandro, California, 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 May 12, 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

Network PTS is a privately held California Corporation with its principal place of business located in San Leandro, California.

The applicant is filing applications nationwide. At the present time, the applicant states, it is authorized to provide service in the following states: Arizona, Arkansas, California, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nevada, New Jersey, New Hampshire, New York, Ohio, Pennsylvania, Texas, Virginia and Wisconsin. Additionally, the applicant claims that no formal complaints or enforcement proceedings involving the business operations of the applicant, its officers, directors, shareholders or principals, have ever been initiated.

Network PTS states that it is a reseller of interexchange telecommunications services. Network PTS plans to provide operator assisted services to call aggregator locations in Nebraska in accordance with the rules and regulations set forth by the Commission. The Applicant's service will allow access to emergency services. The Applicant states that it will not collect deposits. The Applicant provided a description of its technical support staff, training and experience. The Applicant provided the Commission with its balance sheet and income statement. Further, the Applicant states that no investment in

network switching facilities will be required to provide the proposed services. Expenses from the underlying carrier related to transmission costs will be incurred on an incremental basis as service is provided.

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-3422 be, and it is hereby, granted and Network PTS, Inc., 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).

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.

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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 12th day of July, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Lowell Johnson*

Chairman

*Lowell Johnson*

*Aune C. Boyle*

ATTEST:

*Paul Johnson*

*Paul Johnson*

Executive Director

//s// Frank E. Landis

//s// Gerald L. Vap