

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3442
of Acceris Management and)
Acquisition LLC, Minneapolis,)
Minnesota, seeking authority to) GRANTED
operate as an interexchange)
carrier of telecommunications)
services within the State of)
Nebraska.) Entered: September 7, 2005

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

By application filed July 6, 2005, Acceris Management and Acquisition LLC (Applicant) of Minneapolis, Minnesota 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 July 8, 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

Applicant is a Minnesota corporation with its headquarters in Minneapolis, Minnesota. 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 intends to provide switchless, non-facilities based resale services to residential and business customers. Applicant does not own facilities and is solely dependant on the technical capabilities of its underlying carrier. All services will be provided over the networks of underlying carriers; therefore, Applicant's technical capabilities are equivalent to that of the underlying carriers. Applicant's underlying long distance carriers will be MCI, AT&T, Global Crossing, and Sprint.

The Applicant provides services on a non-prepaid basis and bills customers directly on a monthly basis. Applicant proposes to offer switched access "1+" long distance telecommunications services to businesses and residences suitable for voice and limited data applications in the State of Nebraska. Applicant

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will not collect advance payments or deposits from Nebraska customers.

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 and the additional financial information, the Commission finds that Applicant 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. Applicant has demonstrated that approval of the application would serve the public interest.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3442 be, and it is hereby, granted and Acceris Management and Acquisition LLC is authorized to provide 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 7th day of September, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson

Vice - Chairman

Rod Johnson

Anne C. Boyle

//s// Rod Johnson

//s// Frank E. Landis

ATTEST:

And S Pollok

Executive Director