

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3665
of Yestel USA, Inc., Lomita,)
California, seeking authority to)
operate as a resale carrier of) GRANTED
intrastate interexchange)
telecommunication services)
within the State of Nebraska.)
) Entered: March 6, 2007

BY THE COMMISSION:

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

On July 14, 2006, the Nebraska Public Service Commission (Commission) received an application from Yestel USA, Inc., ("Yestel" or "Applicant") Lomita, California, seeking authority to operate as a resale carrier of intrastate interexchange telecommunication services within the State of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on July 20, 2006.

Applicant is a corporation organized under the laws of Delaware with its headquarters in Lomita, California. 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 interexchange resale carrier proposing to provide long distance telecommunications services suitable for voice and limited data applications to business and residential customers throughout the State of Nebraska. All network services will be supplied by other carriers. The Applicant does not propose to provide alternative operator services nor will it require advanced payments or deposits or provide service on a pre-paid basis. Applicant will provide billing services in-house and will bill customers monthly for services. Customer service is available through a toll-free 800 number.

During routine processing of Yestel's application for financial fitness, Commission Accountant, Steve Stovall, discovered certain deficiencies with Yestel's application. Mr. Stovall wrote a letter to Ms. Monica B. Haab, the designated contact person for Yestel's application, requesting further financial information and included contact information for the Commission. Mr. Stovall further attempted to make contact with

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-3665

Page 2

Ms. Haab via telephone on October 12, 2006. Mr. Stovall never received any communication or reply to either inquiry.

Subsequently, Mr. Stovall informed Commission attorney, Nichole Underhill, of the lack of communication from Yestel concerning their application before the Commission. Ms. Underhill made telephone contact with Ms. Haab's office and left voice mail messages requesting information from Ms. Haab concerning the application on two separate occasions, November 7, 2006, and again on January 8, 2007.

The Commission received no response from the Applicant, and entered an order on January 23, 2007, setting a dismissal date of February 20, 2007, for failure to take timely action by the Applicant if the Applicant did not submit the required financial information by the deadline. On February 20, 2007, the Commission received the required financial information from the Applicant.

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 Yestel 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. Approval of the application would serve the public interest. Accordingly, the application should be granted.

However, the Applicant should be aware that this Commission will not tolerate similar behavior regarding the filing of required documents by certificated carriers in Nebraska and similar lack of responsiveness to Commission requests for information as demonstrated by the Applicant during this application process. If the Applicant fails to timely file its required reports or fails to respond in a timely manner to Commission inquiries, the ability of Yestel to continue to hold the certificate of authority granted in this order will be closely scrutinized.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3665 be, and it is hereby, granted and Yestel USA, Inc., is authorized to provide

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-3665

Page 3

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.

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 6th day of March, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

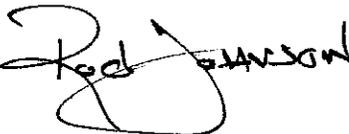
COMMISSIONERS CONCURRING:





//s// Rod Johnson
//s// Frank E. Landis

Chairman



ATTEST:



Executive Director

