

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-3686  
of First Communications, LLC, )  
Akron, Ohio, seeking authority )  
to provide resold interexchange ) GRANTED  
telecommunications services )  
throughout the state of )  
Nebraska. ) Entered: September 26, 2006

BY THE COMMISSION:

On August 7, 2006, an application was filed by First Communications, LLC (First Communications), Akron, Ohio, seeking authority to provide resold interexchange telecommunications services throughout the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on August 16, 2006. 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

First Communications is a privately held Ohio Limited Liability Company with its headquarters in Akron, Ohio. First Communications has been authorized by the Secretary of State to operate in Nebraska as a foreign Limited Liability Company. 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.

First Communications is a common carrier that provides local, private line and long distance services to both business and residential customers in several states. First Communication's telecommunications services are provided primarily on a resale basis using the facilities and switches that are owned and operated by other telecommunications carriers. First is requesting authority from this Commission to provide long distance resale services in the state of Nebraska.

Interexchange applications are subject to Commission jurisdiction under Neb. Rev. Stat. § 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 First Communications has provided all the information required by the Commission, possesses adequate financial resources to provide the proposed service, and possesses adequate technical competency to provide the proposed service. A grant of the application would serve the public interest. The application should be granted.

## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3686 be, and it is hereby, granted and First Communications, LLC, is authorized to operate as an interexchange carrier of telecommunications 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 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.

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MADE AND ENTERED at Lincoln, Nebraska, this 26th day of September, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Frank E. Landis*  
*Aime C. Bayle*  
*Lowell C. Johnson*

*Lowell C. Johnson*  
Chair

ATTEST:

*Ad S. Pollack*  
Executive Director

//s// Lowell C. Johnson  
//s// Frank E. Landis