

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

LeRoy Koppendraye
Ken Nickolai
Marshall Johnson
Phyllis Reha
Thomas Pugh

Chair
Commissioner
Commissioner
Commissioner
Commissioner

T. Scott Thompson
Cole, Raywid, & Braverman, LLP
1919 Pennsylvania Ave. NW, Suite 200
Washington, DC 20006-3458

SERVICE DATE: **MAR 30 2005**

DOCKET NO. P-6429/NA-05-318

In the Matter of the Application of NextG Networks of Illinois, Inc. for a Certificate of Authority to Provide Local Niche Services

The above entitled matter has been considered by the Commission and the following disposition made:

Approved the application for an operational certificate of authority to provide local niche services on a statewide basis;

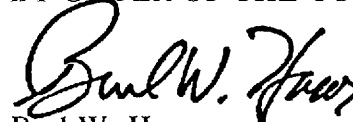
Granted a variance under Minn. Rules pt. 7829.3200 to the notification requirements in Minn. Rules pt. 7812.0200, subpt. 6;

Approved the proposed tariff pages as filed on February 22, 2005 and revised in attachment to attached March 8, 2005 email message.

This decision is issued by the Commission's consent calendar subcommittee, under a delegation of authority granted under Minn. Stat. § 216A.03, subd. 8 (a). Unless a party, a participant, or a Commissioner files an objection to this decision within ten days of receiving it, it will become the Order of the full Commission under Minn. Stat. § 216A.03, subd. 8 (b).

The Commission agrees with and adopts the recommendations of the Department of Commerce and the Commission's Consumer Affairs Office which are attached and hereby incorporated in the Order.

BY ORDER OF THE COMMISSION



Burl W. Haar
Executive Secretary

(S E A L)

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To: Commissioners and Executive Secretary
From: Al Bierbaum
Date: March 16, 2005
Subject: NetxG Networks of Illinois(the Company)
Docket: P-6429/NA-05-318

On February 22, 2005, the Company filed their request for approval of their tariff as part of their application for Certificate of Authority to provide Local Niche Services in the State of Minnesota.

On March 3, 2005, the Department of Commerce (DOC) sent an E-Mail to the Company requesting answers to a number of questions concerning "Notification" issues and making revisions to their filed tariff pages.

On March 8, 2005, the Company responded with the tariff revisions as requested by the DOC.

On March 10, 2005, the Department of Commerce (DOC) reviewed the application and recommended approval of the tariff as revised by the Company and approval for an Operational Certificate of Authority to provide Local Niche Services on a statewide level.

On March 10, 2005, Commission Staff reviewed the Company's tariff filing and contacted the Company by letter noting that their tariff was incomplete as there was no section dealing with "Customer Complaint/Billing Disputes". Staff requested that the Company file a revised tariff sheet.

On March 11, 2005, the Company supplied the additional tariff information as requested by Commission Staff.

Staff now recommends approval of the tariff as recommended by the DOC and revised by Commission Staff and approval of the Company's application for Certificate of Authority to provide Local Niche Services.



MINNESOTA
DEPARTMENT OF
COMMERCE

RECEIVED

MAR 10 2005

MN PUBLIC UTILITIES COMMISSION

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March 8, 2005

Burl W. Haar
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, Minnesota 55101-2147

RE: In the Matter of the Application of NextG Networks of Illinois, Inc. for a Certificate of Authority to Provide Local Niche Services
Docket No. P6429/NA-05-318

Dear Dr. Haar:

Applications for certificates of authority may be approved without hearing under Minn. Stat. §216A.03, subd. 7. The Public Utilities Commission's (Commission's) Order designating certain applications for certificates of authority as being subject to a standing order was issued on August 25, 2000 in Docket No. P999/CI-00-634. The use of a standing order is to apply to filings submitted on or after September 1, 2000.

As required by the Commission's August 25, 2000 Order, the Department of Commerce (Department) has reviewed and analyzed the current filing. Attached is the Department's checklist for processing applications for certificates of authority. The checklist reflects the Department's analysis of the issues relating to the requirements of Minnesota law and the Commission's rules.

The application for certification was filed on: February 22, 2005 and updated in March 8, 2005 email message (see attachment).

The name of the applicant: NextG Networks of Illinois, Inc.

The application requested the following type of certification: Certificate of Authority to provide Local Niche Services

The application for certification was filed by:

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Burl W. Haar
March 8, 2005
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Recommended Action: Approve the application for an Operational Certificate of Authority to provide Local Niche Services on a statewide basis. Grant a variance under Minn. Rules pt. 7829.3200 to the notification requirements in Minn. Rules pt. 7812.0200, subpt. 6. Approve the proposed tariff pages as filed on February 22, 2005 and revised in attachment to attached March 8, 2005 email message.

The Department's analysis finds that the Application for Certification complies with the Commission's requirements as indicated on the attached checklists. The Department is submitting this memorandum recommending that the Commission approve the Application for Certification either at a Commission hearing or by way of the standing order process approved by the Commission on August 25, 2000.

Sincerely,



DIANE DIETZ
Rates Analyst

DD/ja
Attachment