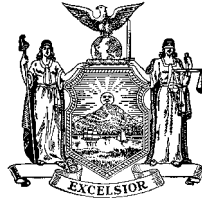


STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE  
THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

Internet Address: <http://www.dps.state.ny.us>

PUBLIC SERVICE COMMISSION

WILLIAM M. FLYNN  
*Chairman*  
THOMAS J. DUNLEAVY  
JAMES D. BENNETT  
LEONARD A. WEISS  
NEAL N. GALVIN



DAWN JABLONSKI  
*General Counsel*

JANET HAND DEIXLER  
*Secretary*

April 4, 2003

Julie Kaminski Corsig  
Davis Wright Tremaine LLP  
1500 K Street, Suite 450  
Washington, D.C. 20005

Re: Case No. 03-C-0027

Dear Ms. Corsig:

The application, by NextG Networks of NY, Inc. on January 7, 2003, for a Certificate of Public Convenience and Necessity to operate in New York State as a facilities-based provider and reseller of telephone service, without authority to provide local exchange service, is hereby approved. This approval is based upon the accuracy of the information provided in the company's application and may be revoked if the application is found to contain false or misleading information, for failure to file or maintain current tariffs, or for violation of Commission rules and regulations.

The company's tariff, P.S.C. No. 1 – Telephone, is also approved.

The company is not authorized to use its own operators to handle 0- (emergency or non-emergency) calls. Such calls must be routed to another telephone company or operator services provider authorized to handle such calls, until such time as an amended Certificate of Public Convenience and Necessity is obtained pursuant to Part 649.6 of the Commission's rules.

The company must obtain any required consents of municipal authorities before commencing construction of telephone lines. It must also comply with applicable federal laws, New York State Public Service Law and related statutes, and the Commission's rules and regulations.

The company is also required to file a Statement of Gross Intrastate Operating Revenues by March 31 each year. It will be notified in writing each year of the required content and format of this report.

Finally, please complete and return the enclosed, two-page questionnaire to Maria Le Boeuf of our staff within 30 days of receipt of this letter. This information will be added to the directory of telephone companies posted at our website, in order to help consumers search for companies available to meet their telecommunications needs. Any updates or changes should be promptly forwarded as well.

If you have any questions, please contact Maria Le Boeuf at (518) 474-1362.

By direction and delegation  
of the Commission,

A handwritten signature in black ink that reads "Allan H. Bausback". The signature is written in a cursive, flowing style.

Allan H. Bausback  
Director  
Office of Communications

cc: Robert Delsman, Esq.  
NextG Networks of NY, Inc.  
2033 Gateway Place, Suite 500  
San Jose, CA 95110-3709

Enclosure

## QUESTIONNAIRE

Company Name:

Case Number:

Preparer's Name:

Phone Number:

E-mail Address:

- Consumer contact information (for use by consumers wishing to contact the company for information)

Phone No:

Mailing Address:

E-Mail Address:

Website Address:

- Services Offered

Indicate the telecommunications services offered by your company:

	<u>Resale</u>	<u>Facilities-Based</u>
Local Exchange Telephone Service	<input type="checkbox"/>	<input type="checkbox"/>
Lifeline	<input type="checkbox"/>	<input type="checkbox"/>
Long Distance		
IntraLATA	<input type="checkbox"/>	<input type="checkbox"/>
InterLATA Intrastate	<input type="checkbox"/>	<input type="checkbox"/>
InterLATA Interstate	<input type="checkbox"/>	<input type="checkbox"/>
Private/Leased Line	<input type="checkbox"/>	<input type="checkbox"/>
Operator Services	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>

---

## QUESTIONNAIRE - Continued

- Service Area

Indicate if the company offers service statewide, or identify the counties where service is offered.

Statewide

- |   |                                       |
|---|---------------------------------------|
| <input type="checkbox"/> Bronx                    | <input type="checkbox"/> Montgomery   |
| <input type="checkbox"/> Kings (Brooklyn)         | <input type="checkbox"/> Nassau       |
| <input type="checkbox"/> New York (Manhattan)     | <input type="checkbox"/> Niagara      |
| <input type="checkbox"/> Queens                   | <input type="checkbox"/> Oneida       |
| <input type="checkbox"/> Richmond (Staten Island) | <input type="checkbox"/> Onondaga     |
| <input type="checkbox"/> Albany                   | <input type="checkbox"/> Ontario      |
| <input type="checkbox"/> Allegany                 | <input type="checkbox"/> Orange       |
| <input type="checkbox"/> Broome                   | <input type="checkbox"/> Orleans      |
| <input type="checkbox"/> Cattaraugus              | <input type="checkbox"/> Oswego       |
| <input type="checkbox"/> Cayuga                   | <input type="checkbox"/> Otsego       |
| <input type="checkbox"/> Chautauqua               | <input type="checkbox"/> Putnam       |
| <input type="checkbox"/> Chemung                  | <input type="checkbox"/> Rensselaer   |
| <input type="checkbox"/> Chenango                 | <input type="checkbox"/> Rockland     |
| <input type="checkbox"/> Clinton                  | <input type="checkbox"/> St. Lawrence |
| <input type="checkbox"/> Columbia                 | <input type="checkbox"/> Saratoga     |
| <input type="checkbox"/> Cortland                 | <input type="checkbox"/> Schenectady  |
| <input type="checkbox"/> Delaware                 | <input type="checkbox"/> Schoharie    |
| <input type="checkbox"/> Dutchess                 | <input type="checkbox"/> Schuyler     |
| <input type="checkbox"/> Erie                     | <input type="checkbox"/> Seneca       |
| <input type="checkbox"/> Essex                    | <input type="checkbox"/> Steuben      |
| <input type="checkbox"/> Franklin                 | <input type="checkbox"/> Suffolk      |
| <input type="checkbox"/> Fulton                   | <input type="checkbox"/> Sullivan     |
| <input type="checkbox"/> Genesee                  | <input type="checkbox"/> Tioga        |
| <input type="checkbox"/> Greene                   | <input type="checkbox"/> Tompkins     |
| <input type="checkbox"/> Hamilton                 | <input type="checkbox"/> Ulster       |
| <input type="checkbox"/> Herkimer                 | <input type="checkbox"/> Warren       |
| <input type="checkbox"/> Jefferson                | <input type="checkbox"/> Washington   |
| <input type="checkbox"/> Lewis                    | <input type="checkbox"/> Wayne        |
| <input type="checkbox"/> Livingston               | <input type="checkbox"/> Westchester  |
| <input type="checkbox"/> Madison                  | <input type="checkbox"/> Wyoming      |
| <input type="checkbox"/> Monroe                   | <input type="checkbox"/> Yates        |

If different services are offered in different areas, please attach a schedule.