



Agenda Date: 4/22/26
Agenda Item: IB

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

DIVISION OF AUDITS AND
OFFICE OF CABLE
TELEVISION AND
TELECOMMUNICATIONS

IN THE MATTER OF THE VERIFIED PETITION OF) ORDER
NEXRA LLC FOR APPROVAL TO PROVIDE)
RESOLD AND FACILITIES BASED)
INTEREXCHANGE AND LOCAL EXCHANGE)
SERVICES THROUGHOUT NEW JERSEY) DOCKET NO. TE25090531

Parties of Record:

Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel
Lance J.M. Steinhart, Esq., Attorney, For NEXRA LLC

BY THE BOARD:

On September 9, 2025, NEXRA LLC (“NEXRA” or “Petitioner”) filed a verified petition with the New Jersey Board of Public Utilities (“Board”) pursuant to the New Jersey Telecommunications Act of 1992, N.J.S.A. 48:2-21.16 et seq. (“1992 Act”), and the Federal Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) (“Federal Act”), seeking authorization to provide resold and facilities-based interexchange and local exchange services throughout New Jersey (“Petition”). Additionally, the Petitioner sought a waiver of N.J.A.C. 14:10-1A.13, which requires financial material to comply with the Uniform System of Accounts (“USOA”), and of N.J.A.C. 14:1-5.15(a), pertaining to the requirement under N.J.S.A. 48:3-7.8 that all books and records incident to Petitioner’s operations be maintained in the State of New Jersey. By this Order, the Board considers the Petition.

BACKGROUND

Petitioner is a New York based limited liability company with a principal office located at 108 South Franklin Ave, Valley Stream, New York 11581. Petitioner is authorized to conduct business in the state of New Jersey as a for profit foreign limited liability company. Petitioner has not been denied authority to provide services in any state, nor has any state revoked it authority to do business therein. There have been no civil or criminal proceedings against Petitioner in any jurisdiction.

According to the Petition, NEXRA will provide voice and high-speed data services through a combination of the latest technology switching and transport media. The switching system will

consist of a central processing and control complex capable of interconnection as a peer to the incumbent as well as competitive local exchange companies. Additionally, NEXRA asserted that its services will be delivered over a combination of delivery mechanisms through incumbent local carriers' unbundled loop network, both copper and fiber and transport networks, as well as via its constructed facilities. Petitioner indicated that it intends to provide service upon certification and finalization of interconnection agreements with the Local Exchange Carriers ("LECs").

Petitioner seeks authorization to provide facilities-based interexchange and local exchange service to business and residential customers. Petitioner indicated that it plans to offer resold and facilities-based/Unbundle Network Element ("UNE") interexchange and local exchange services to business and residential customers using a combination of both its own facilities and facilities of other carriers by purchasing UNE. Petitioner's services will be provided using the unbundled network element platform and resold telecommunications services. Services include, but are not limited to: 1) local exchange services for business customers that will enable customers to originate and terminate local calls in the local calling area served by NEXRA as well as other LECs; and 2) switched local exchange services such as flat-rates and measure-rated local services, vertical services, direct inward and outward dialed trunks, carrier access, public and semi-public coin telephone services, and any other switched local services that currently exist or will exist in the future. NEXRA stated that it will file tariffs, subject to the Board's review, that set forth the terms and conditions of petitioner's proposed services upon approval.

Petitioner confirmed that if it enters into an Interconnection Agreement with an incumbent local exchange carrier, it will provide and maintain 9-1-1 service in accordance with all applicable Federal Communications Commission's guidelines and standards. Petitioner also maintains a toll-free number for customer services.

Petitioner claimed that it possesses sound financial, technical, and managerial resources, as well as the experience to provide facilities-based and resold interexchange and local exchange service and will comply with all the laws of New Jersey and all of the regulations and requirements of the Board.

Petitioner requested a waiver of N.J.A.C. 14:10-1A.13, to the extent such regulation would require Petitioner's financial material to comply with the USOA. Petitioner currently maintains its books and records in accordance with Generally Accepted Accounting Principles.

Petitioner also requested a waiver of N.J.A.C. 14:1-5.15(a). Petitioner's activities in the State of New Jersey will be managed from its principal place of business at Valley Stream, New York. Upon a written request from the Board, Petitioner indicated that it would produce such books and records at such time and place within New Jersey, as the Board may designate.

By letter dated January 30, 2026, the New Jersey Division of Rate Counsel ("Rate Counsel") indicated that it supported the introduction and expansion of competition in the New Jersey telecommunications market because competition encourages lower prices, technological development and deployment and provides consumers with a greater number of alternatives, consistent with the public interest, convenience and necessity. Accordingly, Rate Counsel indicated that it has no objection should the Board determine after its review that approval of NEXRA's requests in this matter is prudent and warranted.

DISCUSSION AND FINDINGS

On February 8, 1996, the Federal Act was signed into law to promote competition and remove barriers to entry into telecommunications markets. To that end, 47 U.S.C. § 253(a) provides that “[n]o State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.” However, pursuant to 47 U.S.C. § 253(b), the Board, as the State’s regulatory authority, may impose requirements necessary to protect the public safety and welfare, ensure the continued quality of telecommunications services, and safeguard the rights of consumers on a competitively neutral basis that is consistent with universal service.

In considering the Petition for Competitive Local Exchange Carrier (“CLEC”) authority to provide local exchange and interexchange telecommunication services, the Board recognizes its obligation to not prohibit entry into intrastate telecommunications markets by qualified applicants.¹ The Board additionally notes that, pursuant to the 1992 Act and based on the Legislative findings that “competition will promote efficiency, reduce regulatory delay, and foster productivity and innovation” and “produce a wider selection of services at competitive market-based prices,” State policy is to “[p]rovide diversity in the supply of telecommunications services.”² Consistent with State and federal law, the Board is empowered to grant CLEC authority to telecommunications companies seeking to provide service in New Jersey.³

Pursuant to N.J.A.C. 14:1-1.2(b), the Board shall, in accordance with the general purposes and intent of its rules, waive a specific provision where full compliance would adversely affect ratepayers, the ability of a utility to provide safe, adequate, and proper service, or the interests of the general public.

Here, Petitioner has demonstrated they possess the requisite financial, technical, and managerial resources, and the experience necessary to provide facilities based and resold interexchange and local exchange services in compliance with New Jersey laws and Board regulations and requirements, thus aligning their ability and interest with the interest of the State and general public. Further, requiring Petitioner to maintain its books and records in New Jersey in the present instance would likely create an undue financial and administrative burden for Petitioner as it competes with other out-of-state carriers, negatively impacting Petitioner’s ability to efficiently provide competitive services for New Jersey ratepayers. Lastly, Petitioner has assured the Board that its GAAP-compliant records will allow reliable oversight of its financial fitness and operations. Given the State’s and Board’s interest in reducing burdens on New Jersey ratepayers, requiring strict compliance with USOA standards in this instance may impede Petitioner’s ability to provide competitive services for New Jersey ratepayers. Additionally, the added benefits that Petitioner’s ability to provide local exchange and interexchange services in New Jersey will have on promoting efficiency, reducing regulatory delay, and fostering productivity and innovation, ultimately reducing ratepayer’s burden, further supports a waiver.

Therefore, having reviewed the Petition and the information supplied, the Board **HEREBY FINDS** that, with respect to its request for approval to provide local exchange and interexchange services in New Jersey, Petitioner meets the Board’s filing requirements. Accordingly, the Board **HEREBY**

¹ 47 U.S.C. § 253(a).

² N.J.S.A. 48:2-21.16(a)(4), (b)(1), and (b)(3).

³ N.J.S.A. 48:2-13 and 48:2-21.20(d).

AUTHORIZES Petitioner to provide resold and facilities-based interexchange and local exchange services throughout New Jersey. The granting of such authority conveys certain rights and privileges upon the Petitioner in its designation as a CLEC in New Jersey. To the extent that a CLEC entity provides unregulated services, CLEC benefits, rights, and privileges granted by the Board are not applicable to those unregulated services.

The Board **HEREBY ORDERS**:

- 1) Pursuant to N.J.S.A. 48:2-21.19(a)(2) and N.J.A.C. 14:10-5.2, Petitioner must post the terms and conditions of its retail competitive services on its website in a publicly available location and must also provide a printed copy of those terms and conditions to a customer upon the customer's request.
- 2) Petitioner must provide the Board and Rate Counsel with a link to the page of the website described above that contains the terms and conditions of its competitive local exchange and interexchange telecommunications services no later than five (5) days after the effective date of this Order. To ensure service quality, the Petitioner must notify the Board within ten (10) days from the date it begins providing such services to New Jersey customers. Petitioner must otherwise comply with N.J.A.C. 14:10-5.1 to -5.8 with respect to any initial offerings of service or revisions to rate, terms and conditions.
- 3) In the event Petitioner intends to provide or provides services requiring the provision of 9-1-1 or E-9-1-1 services under Federal law, Petitioner must provide the Board with a link to the page of its website that contains the terms and conditions of 9-1-1 and E-9-1-1 services to ensure that Petitioner's owned/leased facilities are equipped to provide reliable and functional access to 9-1-1 and E-9-1-1 services to subscribers. To ensure service quality, the Petitioner must notify the Board within ten (10) days from the date it begins providing such services to New Jersey customers.
- 4) Pursuant to N.J.S.A. 48:2-16(2)(b), N.J.A.C. 14:3-6.3, and N.J.S.A. 48:2-62, Petitioner must file an annual report and a statement of gross intrastate revenues from operations form (AR3-1) as of December 31 of each year, which is due on or before March 31 and June 1 of the following year, respectively. If Petitioner does not receive the Board's annual report package from the Division of Audits on or before February 1 of each year, it is Petitioner's responsibility to obtain the annual report package from the Board. It is also the Petitioner's responsibility to ensure timely filing of these reports. Pursuant to N.J.S.A. 48:2-16.3, if Petitioner fails to file an annual report by the due date, Petitioner will be subject to a penalty of five-dollars (\$5.00) for each day thereafter until such report is filed.
- 5) In accordance with N.J.S.A. 48:2-59, N.J.S.A. 48:2-60, and N.J.S.A. 52:27EE-52, Petitioner is subject to an annual assessment by both the Board and Rate Counsel, respectively.
- 6) Failure to comply with this order may result in monetary penalties pursuant to N.J.S.A. 48:2-42, suspension of CLEC authority, and/or revocation of CLEC authority.

The Petitioner additionally requested a waiver of N.J.A.C. 14:10-1A.13 and N.J.A.C. 14:1-5.15(a). Upon review, the Board **HEREBY FINDS** that the Petitioner demonstrated requisite good cause for the Board to grant such relief pursuant to N.J.A.C. 14:1-1.2. Accordingly, the Board **HEREBY GRANTS** Petitioner's request to adhere to the GAAP and waives both the USOA requirements at N.J.A.C. 14:10-1A.13 and bookkeeping requirements at N.J.A.C. 14:1-5.15(a).

This Order shall be effective April 29, 2026.

DATED: April 22, 2026

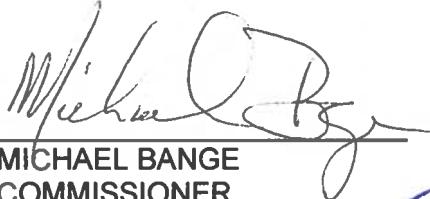
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BY:



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PRESIDENT



DR. ZENON CHRISTODOLOU
COMMISSIONER



MICHAEL BANGE
COMMISSIONER

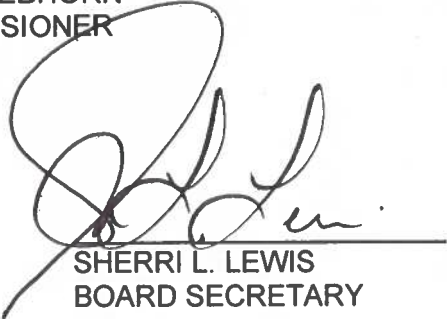


EMMA REBORN
COMMISSIONER



JOSEPH COVIELLO
COMMISSIONER

ATTEST:



SHERRI L. LEWIS
BOARD SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public Utilities.

IN THE MATTER OF THE VERIFIED PETITION OF NEXRA LLC FOR APPROVAL TO PROVIDE RESOLD AND FACILITIES BASED INTEREXCHANGE AND LOCAL EXCHANGE SERVICES THROUGHOUT NEW JERSEY DOCKET NO. TE25090531

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