

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Application No. NUSF-100
Public Service Commission, on)	PI-193
its own motion, to consider)	
revisions to the universal)	ORDER SOLICITING BRIEFS
service fund contribution)	
methodology.)	Entered: July 12, 2016

BY THE COMMISSION:

The Nebraska Public Service Commission (the "Commission") opened the above-captioned proceeding to consider revisions to the contribution mechanism of the Nebraska Universal Service Fund ("NUSF") on November 13, 2014. The Commission sought comments on various contribution reform options. On June 6, 2016, the Commission received further comments in response to its Order. In its June 6th filing, the Nebraska Rural Independent Companies (RIC) recommended the Commission solicit briefs on the following legal issues:

- (1) What jurisdictional considerations are raised with respect to both interstate and intrastate traffic being carried over a given connection on which an NUSF surcharge will be assessed and how can any such issue be addressed?
- (2) What issues may be presented if a state connections-based USF contribution mechanism proposes to assess a regulatory surcharge on a connection through which only broadband Internet access service access is provided versus a connection where both broadband and voice is provided?
- (3) How does a party that has identified a legal issue recommend that such issue be addressed by the Commission in order to minimize or eliminate the impact of such issue on the implementation of a connections-based contribution mechanism?

In support of this request, RIC stated the suggested briefing may avert, or at least minimize, the uncertainty that could arise if one or more interested parties present after-the-fact claims that Commission action was unlawful.

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

The Commission finds the RIC request should be granted; and accordingly solicits legal briefs responsive to its questions. Briefs responsive to the questions posed above shall be due on or before **August 3, 2016**. Parties filing briefs should file five (5) paper copies and one (1) electronic copy with the Commission. Parties filing briefs must also electronically serve other commenting parties in this proceeding.

O R D E R

IT IS THEREFORE ORDERED that interested parties may file legal briefs responsive to the issues raised above on or before **August 3, 2016**.

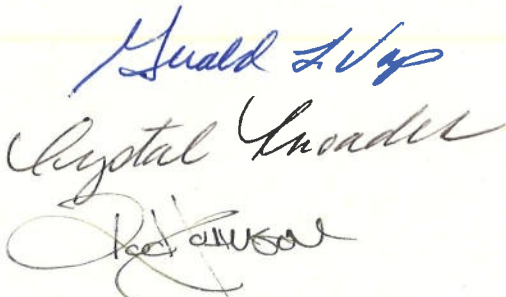
ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 12th day of July, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



Chairman



ATTEST:

Executive Director

//s//Frank E. Landis
//s//Tim Schram