

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. NUSF-110
Public Service Commission, on)
its own motion, to determine)
whether to discontinue ported) ORDER
support for grandfathered)
lines.)
) Entered: January 17, 2018

BY THE COMMISSION:

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

On May 9, 2017, the Nebraska Public Service Commission (Commission) opened the above-captioned proceeding to determine whether to discontinue the practice of porting universal service support on lines captured by competitive local exchange carriers (CLECs) in certain CenturyLink out-of-town areas. The history of taking universal service support from an incumbent local exchange carrier and giving that support to a competitive local exchange carrier started with rules implemented by the Federal Communications Commission in its 1997 Universal Service First Report and Order.¹ Initially, pursuant to rules established by the Federal Communications Commission (FCC), federal universal service fund support was "ported" away from the underlying ILEC to a competitive eligible telecommunications carrier (CETC) capturing the line. This support was deducted from the ongoing support received by the ILEC and paid to the CETC.² Consistent with those federal regulations, the Commission once determined that Nebraska competitive local exchange carriers designated as NETCs and providing service by leasing Unbundled Network Elements (UNEs) from the ILEC could have universal service support ported for lines captured from the ILEC.

Comments were filed by CenturyLink on June 16, 2017 in support of the Commission's proposal to discontinue ported support. However, it was made known to us that the Commission's caption in the order opening the docket referenced business lines but not residential lines. The Commission re-noticed this docket with a broader caption on December 1, 2017 and requested further comments

¹ See *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776 (1997) (*Universal Service First Report and Order*) (subsequent history omitted).

² 47 C.F.R. Section 54.307 of the rules promulgated by the Federal Communications Commission (FCC) was referred to as the "Identical Support Rule."

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from interested persons. Further comments were filed by CenturyLink on December 22, 2017, again in support of the Commission's proposal to discontinue porting support to all captured lines which are currently grandfathered. No carrier filed comments in opposition to the Commission's proposal.

Based upon the comments received, the Commission finds its proposal to discontinue the practice of porting universal service support from CenturyLink to CETCs for grandfathered lines should be adopted. Support should be discontinued effective as of the date of the entry of this Order.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the opinion and findings as described above be and they are hereby adopted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 17th day of January, 2018.

COMMISSIONERS CONCURRING:

Tim Schram
Crystal Quoades
Paul J. [unclear]

NEBRASKA PUBLIC SERVICE COMMISSION

Mary Ridd

Chair

ATTEST:

Michael H. [unclear]
Executive Director