

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. NUSF-24  
Public Service Commission, on )  
its own motion, to establish ) ORDER INITIATING DOCKET  
filing guidelines for the purpose )  
of dis-aggregating federal )  
universal service support. ) Entered: July 24, 2001

BY THE COMMISSION:

1. On May 23, 2001, the Federal Communications Commission (FCC) released an order relative to federal universal service support mechanisms<sup>1</sup>. Inter alia, this order codified, at 47 C.F.R. § 54.315, a requirement that rural incumbent local exchange carriers (ILECs) select a path for the purpose of dis-aggregating federal high-cost universal service support made available pursuant to 47 C.F.R. §§ 54.301, 54.303, and/or 54.305. This selection must be made within 270 days of publication of said rules in the Federal Register. Such publication occurred on June 19, 2001.

2. There are three paths available to rural ILECs to select a method of dis-aggregating federal high-cost universal service support. Selection of paths 1 and 3 become effective upon certification by the rural ILEC to the Commission while the selection of path 2 becomes effective upon approval by the Commission. Specific requirements relative to the selection of a dis-aggregation path are set forth in 47 C.F.R. § 54.315.

3. The Commission may require, on its own motion, upon petition by an interested party, or upon petition by the rural ILEC, modification of the dis-aggregation plan filed by a rural ILEC as set forth in 47 C.F.R. § 54.315.

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

4. The Commission calculates that March 16, 2002, is 270 days after June 19, 2001. However, March 16, 2002 is a Saturday. Therefore, the Commission finds that all rural ILECs must file a selection of a dis-aggregation path with the Commission on or before March 15, 2002. Rural ILECs failing to select a dis-aggregation path on or before March 15, 2002, will not be permitted to dis-aggregate support unless ordered to do so by the Commission.

5. As noted above, there are specific requirements related to the selection of a dis-aggregation path by a rural ILEC set

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<sup>1</sup> CC Docket No. 96-45, CC Docket No. 00-256, Fourteenth Report and Order, Twenty Second Order on Reconsideration, and Further Notice of Proposed Rule-making in CC Docket No. 96-45, and Report and Order in CC Docket No. 00-256, FCC 01-157, Released May 23, 2001.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. NUSF-24

Page 2

forth in 47 C.F.R. §54.315 and the Commission may require modification to a selection of a rural ILEC. Therefore, the Commission seeks comments on whether there should be a period during which interested parties could file comments on selections and plans filed by the rural ILECs. Additionally, interested parties may provide comments on any other matters that are germane to this docket. Comments are due on or before September 24, 2001.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that all rural ILECs file the selections of a disaggregation path and any applicable plans, as set forth above and in accordance with 47 C.F.R. § 54.315, on or before March 15, 2002.

IT IS FURTHER ORDERED that interested parties file comments on matters germane to this docket on or before September 24, 2001. Parties filing comments should file three paper copies and one electronic copy in WordPerfect 6.0 format.

MADE AND ENTERED at Lincoln, Nebraska, this 24th day of July, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Frank E. Landis



Chairman

ATTEST:



Executive Director