

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) APPLICATION NO. NUSF-25
Public Service Commission, on) Progression Order No. 21
its own motion, seeking to)
establish guidelines for the)
purpose of certifying the use)
of federal universal service)
support.)

In the Matter of the Nebraska) APPLICATION NO. NUSF-66
Public Service Commission, on)
its own motion, seeking to)
establish guidelines for the)
purpose of certifying the use)
of state universal service)
support.) Entered: September 18, 2007

BY THE COMMISSION:

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

1. The Commission has established a new process for verifying whether all federal high-cost support will be used for its intended purpose, pursuant to 47 C.F.R § 54.314 and CC Docket No. 96-45 and whether all state high-cost support will be used for its intended purpose pursuant to Neb. Rev. Stat. § 86-324. See Application Nos. NUSF-25/NUSF-66, Progression Order No. 18 (entered May 15, 2007).

2. On September 11, 2007, the Commission entered Progression Order No. 20, certifying certain eligible telecommunications carriers' use of federal high-cost support. In this Order we further certify that the carrier(s) listed below will use federal high-cost support for its intended purpose, pursuant to 47 C.F.R. § 54.314 and CC Docket No. 96-45:

United States Cellular Corporation

3. Accordingly, the Commission will provide certification to the Administrator of the federal high-cost universal service support mechanisms and the Federal Communications Commission that the above-listed carrier(s) will use federal high-cost support only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended in

accordance with section 254(e) of the Telecommunications Act of 1996, as amended.

4. As stated in Progression Order No. 20, the Commission will continue to review information filed by the above-listed carrier(s). Should the Commission discern that the carrier(s) listed above is not using federal high-cost support for the purpose in which it is intended, the Commission will notify the carrier, schedule a hearing, and make a determination as to whether said carrier should be de-certified or have its eligible telecommunications carrier designation revoked.

5. In response to an order released by the Federal Communications Commission (FCC) on October 27, 2003, in CC Docket 96-45, FCC 03-249 (Order on Remand), the Commission is required to review its rates in rural, high-cost areas served by non-rural carriers annually to assess the comparability of those rates to urban rates nationwide. States are required to file a certification with the FCC by October 1st annually, stating whether its rates are reasonably comparable to nationwide urban rates, or in the alternative, explain why they are not.

6. The Commission finds that the following non-rural carrier(s) charge rural rates which fall below the safe harbor and which are therefore presumably reasonably comparable:

Windstream Nebraska Inc.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Department certify to the Administrator of the federal high-cost universal service support mechanisms and the Federal Communications Commission that the above-listed eligible telecommunications carrier will use federal high-cost support only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended, in accordance with section 254(e) of the Telecommunications Act of 1996, as amended.

IT IS FURTHER ORDERED that the Department certify to the Federal Communications Commission that the above-listed non-rural carrier is charging rates reasonably comparable to the nationwide urban rate benchmark as described herein.

MADE AND ENTERED at Lincoln, Nebraska this 18th day of
September, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director