

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Pinpoint)	Application No. NUSF-31
Communications, Inc., McCook,)	
seeking designation as a Nebraska)	
Eligible Telecommunications)	GRANTED
Carrier that may receive state)	
universal service support.)	
)	Entered: March 11, 2003

APPEARANCES:

For the Applicant:
Jon Bruning
7919 Rock Creek Circle
Omaha, Nebraska

For the Commission staff:
Shana Knutson
300 The Atrium
1200 N Street
Lincoln, Nebraska

BY THE COMMISSION:

By application filed October 31, 2002, Pinpoint Communications Inc., (Pinpoint or applicant) seeks designation as a Nebraska Eligible Telecommunications Carrier (NETC) so that it may qualify to receive state universal service support. Notice of the application was published in The Daily Record, Omaha, Nebraska, on November 5, 2002. No protests or requests for intervention were filed. A hearing on the application was held on January 6, 2003, with appearances as shown above.

The applicant presented one witness who testified as follows:

Mr. Roger Hoffman, Executive Vice President for Pinpoint, testified that Pinpoint has met all of the qualifications to become an NETC. Pinpoint provides voice grade access to the public switched network, unlimited local usage, dual tone multi-frequency signaling and/or its functional equivalent, single party service and/or its functional equivalent, access to emergency services including enhanced 911, operator services, equal access to interexchange service, white page listings for its customers, and toll limitation for qualifying low income consumers. Pinpoint advertises the availability of its service and charges for such services using media of general distribution. Mr. Hoffman further testified that Pinpoint will abide by all service quality standards and rules that have been and will be promulgated by the Commission. The witness further promised that Pinpoint would abide by all Commission rules regarding access charges that have or will be promulgated by the Commission.

With respect to the receipt of transitional support, Mr. Hoffman testified that Pinpoint may request transitional support depending on when the Commission is able to complete its work in Application NUSF-26. Mr. Hoffman stated that Pinpoint would like to seek support from the NUSF sometime after mid-year. If Pinpoint does seek transitional support it would return to the Commission with specific cost justification so that the Commission can make a determination of any transitional support sought by Pinpoint.

Upon questioning, Mr. Hoffman confirmed that Pinpoint participates in the Lifeline program. Pinpoint agreed to price its universal service offering consistent with any Commission prescribed benchmarks. Should the Commission add or modify the requirements for obtaining and keeping NETC status, Pinpoint agreed to demonstrate to the Commission that it has met or can meet those requirements.

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

Upon consideration of the testimony and evidence filed in this proceeding, the Commission is of the opinion and finds that the application of Pinpoint should be granted. Pinpoint was given a Certificate of Public Convenience and Necessity by this Commission in Application No. C-2355, to operate as a competitive local exchange carrier of telecommunications services within the state of Nebraska. At that stage, Pinpoint demonstrated it possessed the adequate technical, managerial and financial ability to provide competitive local exchange service in areas served by Qwest Corporation, ALLTEL Communications, Citizens and United Telephone Company of the West. On April 23, 2002, this Commission designated Pinpoint as an Eligible Telecommunications Carrier (ETC) for the purpose of receiving federal universal service support in areas served by Qwest Corporation, ALLTEL Communications, Citizens and United Telephone Company of the West. Pinpoint has demonstrated that it has complied with current federal and state ETC and NETC rules and requirements in the areas described herein.

In our estimation, the proceedings in NUSF-26 will most likely change or alter the current support and eligibility requirements. Should the Commission alter its NETC rules and requirements, the Commission will require Pinpoint to come back to the Commission, along with all other previously designated eligible telecommunications carriers, to ensure that it is compliant with any new eligibility requirements and to re-certify its NETC status.

We further note that this Order does not constitute a grant of transitional support. Pinpoint has not yet demonstrated any specific costs or provided any other company specific information upon which the Commission can calculate support. Should Pinpoint

wish to receive interim support, Pinpoint should file an application requesting a specific amount of support, demonstrating its costs and justifying its request for transitional support from the NUSF.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the application of Pinpoint Communications, Inc., be and it is hereby granted and Pinpoint Communications is designated as a Nebraska Eligible Telecommunications Carrier for the areas described herein.

IT IS FURTHER ORDERED that should Pinpoint Communications Inc. seek interim support, it be required to file an application containing a specific request and any cost justification for the calculation of such interim support.

IT IS FURTHER ORDERED that should the requirements for NETC's be altered or modified by the decision reached by the Commission in Application NUSF-26, Pinpoint Communications, Inc. be required to apply for re-certification as an NETC and demonstrate that it meets any additional rules and requirements.

IT IS FURTHER ORDERED that this grant shall be subject to the terms, conditions, and limitations which have been, or may hereafter be, prescribed by the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of March, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director