

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,)	Application No. NUSF-45
on its own motion, to establish)	
Nebraska Universal Service Fund)	
guidelines for certain rural)	
incumbent local exchange)	ORDER OPENING DOCKET AND
carriers which have dual state)	SEEKING COMMENT
local exchange boundaries and a)	
majority of subscribers located)	
outside of Nebraska.)	Entered: June 28, 2005

BY THE COMMISSION:

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

The Nebraska Public Service Commission (Commission) hereby opens this docket to establish a Nebraska Universal Service Fund (NUSF) policy on the applicability of NUSF requirements for incumbent local exchange carriers having a local exchange boundary which crosses state lines and a majority of subscribers within an exchange located outside of the State of Nebraska (hereinafter referred to as "multi-state ILECs"). Informally, the Commission developed a practice of reviewing inquiries from such carriers on a case-by-case basis. The Commission believes it may be prudent to establish a policy to ensure that all like carriers are treated consistently.

Accordingly, the Commission solicits comments on the following questions:

1. Should the Commission defer to the multi-state ILECs' primary state for Lifeline/Link-Up rules, regulations and orders? Please explain.
2. Should the Commission refrain from applying its other NUSF rules and regulations to the multi-state ILECs?
 - i. If so, please specify which rules and regulations.
 - ii. If not, please explain.
3. What standards should the Commission use to determine when the multi-state ILEC policy should apply? Such as, whether having the switch located in another state should be determinative.

Interested persons may file written comments responsive to this investigation on or before August 16, 2005. Commenting parties should file five (5) paper copies as well as one (1) electronic copy with the Commission in Word or PDF format.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that interested persons may file written comments responsive to this investigation on or before August 16, 2005 in the manner prescribed above.

MADE AND ENTERED at Lincoln, Nebraska this 28th day of June, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director