

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. NUSF-57
Public Service Commission, on) Progression Order No. 2
its own motion, seeking to)
administer the Nebraska) ORDER SEEKING COMMENT
Telehealth Program.)
) Entered: October 29, 2008

BY THE COMMISSION:

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

On June 27, 2006, the Nebraska Public Service Commission (Commission) opened the above-captioned docket establishing a procedure for administering the Telehealth Program and making adjustments to the approved Telehealth Plan.

The Commission enters this Order to seek comments on the filing of Universal Service Administration Company (USAC) forms and contractual issues between the hospitals and the telecommunications carriers for the Telehealth Program. Overall, the Commission questions whether it should establish minimum requirements for the filing of the USAC forms and contract process. If so, what should the minimum requirements be? Alternatively, should the contractual issues be left for the parties to determine on a case-by-case basis?

In addition, the Commission solicits comment on the following specific issues:

1. How can the Commission assist in making sure that the USAC forms are filed timely and all obligations are met by both the hospitals and by the telecommunications carriers?

2. What should the consequence be for failure to timely file the appropriate forms with USAC, which results in delayed reimbursement for the telecommunications carriers? What should the consequence be for failure of the telecommunications carriers to provide any required information necessary to the process in a timely manner?

3. Currently, weight is given in the Nebraska Telehealth bidding document to the existence of an executed letter of agreement which provides that the hospital will file the appropriate forms with USAC and the telecommunication carrier will provide all necessary information in a timely manner. Should this continue to be the process? Should such provisions be included in

the contractual relationship between the hospitals and carriers rather than in a letter of agreement?

Comments on these issues must be filed by interested persons no later than January 5, 2009. Commenting parties shall file five (5) paper copies along with one (1) electronic copy of the comments. Electronic copies may be sent via e-mail to brandy.zierott@psc.ne.gov.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that comments must be filed by interested persons on or before January 5, 2009, in the manner prescribed above.

MADE AND ENTERED at Lincoln, Nebraska this 29th day of October, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director