

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. NUSF-7.07  
of Qwest Corporation for )  
issuance by the Commission of an )  
Order Waiving Certain require- ) GRANTED  
ments in the Opinion and )  
Findings in Application No. )  
C-1628 associated with the NUSF )  
support calculation in the ) Entered: June 27, 2006  
Transition Period.

BY THE COMMISSION:

By application filed January 13, 2006, Qwest Corporation (Qwest or Applicant) seeks to modify its previous waiver of the funding requirements of C-1628 associated with the NUSF support calculation in the Transition Period. Notice of the application appeared in The Daily Record, Omaha, on January 25, 2006. On February 21, 2006, a Petition of Formal Intervention was filed by a group of rural independent companies. The Commission held a planning conference and scheduled a hearing date of June 27, 2006 for the application. On June 9, 2006, the Commission received a motion to withdraw the formal intervention from the rural independent companies. That Motion is hereby granted. The hearing previously set for June 27, 2006 is cancelled and this application is processed pursuant to the Commission's Rule of Modified Procedure.

In support of its application, Applicant states as follows:

Qwest is a corporation organized and existing under the laws of the state of Colorado. It is engaged in furnishing telecommunications services for hire throughout Nebraska both as an incumbent carrier and a competitive provider. Qwest seeks a modification of the Commission's October 6, 2004 order which granted in part the application filed by Qwest. Qwest states that it believes the public interest and the goals of the NUSF will be served if the investments are accelerated and Qwest's information to the Commission should be updated. The confidential attachment to the application described in greater detail the proposed use of NUSF support received. Qwest has added a column to the information previously provided so the Commission can discern which areas benefit from the use of NUSF-7.07 support.

Applicant further states that it is willing and able to provide additional information to the NUSF Director and Commission staff as may be necessary to fully evaluate the nature of Qwest's proposed investments.

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

Upon consideration of the application and its supporting documentation, the Commission is of the opinion and finds that the application filed by Qwest on January 13, 2006, should be approved as follows:

1. Qwest's request for support should be approved as set forth in the confidential attachment appended to this Order and fully incorporated herein. This grant of support is limited to the investments approved in this order and locations described in the confidential attachment appended to this Order and fully incorporated herein.
2. Approval of Qwest's request for additional funds shall be contingent on the NUSF monies being available. The Commission finds that Qwest, prior to making any of the investments for which this waiver application is sought, shall be required to contact the Director to determine whether the NUSF monies are available for distribution.
3. In order to receive the approved additional funding, Qwest must file an affidavit(s) that specifies the amount of additional support being requested, certifying the following:
  - A. The additional Nebraska Universal Service Fund monies will be used only for the purposes described by Qwest in its Application.
  - B. On an ongoing basis, the additional Nebraska Universal Service monies will be used only for the provision, maintenance and upgrading of services that qualify for NUSF support.
  - C. The use of the funds received by Qwest from the Nebraska Universal Service Fund will be subject to a departmental audit at the Commission's discretion.
4. The grants of additional funding shall be limited to the amount described above or the amount(s) actually requested by affidavit, whichever is less.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the application of Qwest in NUSF-7.07 be, and it is hereby granted to the extent provided herein.

MADE AND ENTERED at Lincoln, Nebraska this 27th day of June, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director