

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application)	Application No. C-1128
of the Nebraska Public Service)	
Commission on its own motion)	
to conduct an investigation into)	PROGRESSION ORDER
the effects of local competition)	GRANTED
on the telecommunications)	
industry in Nebraska.)	Entered: July 2, 1996

F I N D I N G S

On March 28, 1995, on its own motion, the Commission opened an investigation of the effects of local competition on the telecommunications industry in Nebraska. Issues were framed and comments were invited to be filed on or before July 7, 1995. An extension of time was requested and granted by the Commission to August 1, 1995. Nineteen responses were received. The Commission then found that procedures should be established for a fair, efficient and thorough disposition of the issues raised by this investigation.

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

Commission objectives, as well as directives of the Nebraska Legislature, are clear that it is the policy of the State of Nebraska to maintain and advance the efficiency and availability of telecommunications services, as well as to promote diversity in the supply of telecommunications services and products across the state.

In recognition that consumers throughout the state should be given foremost consideration, the Commission proposed a number of consumer issues to be addressed.

To further develop these issues and advance these goals, the Commission determined that hearings should be held to receive testimony regarding the implementation of local competition in Nebraska. Hearings were held across the state in Lincoln on January 29, 1996, in Omaha on January 31, 1996, in Norfolk on February 2, 1996, in Kearney on February 6, 1996, in McCook and Ogallala on February 7, 1996, in Scottsbluff on February 8, 1996, and in Valentine on February 9, 1996.

At these hearings, testimony was received from numerous private individuals, as well as representatives from within the telecommunications industry. In addition to the oral testimony, the Commission accepted written responses to be added to the record.

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Individuals voiced various concerns and asked numerous questions regarding telecommunication services within the State of Nebraska. The Commissioners, PSC staff and representatives from the telecommunications industry responded to address these concerns.

Of the various citizen concerns expressed, Mr. Dennis Lorange, of Burr, stated that access to the Internet at affordable rates is important to individuals in rural Nebraska. Preferably, Mr. Lorange stated he would like to have local access to the Internet, like available in urban areas. Ms. Sheri Hafer of Utica, Nebraska, commented on the need for greater choice of telecommunications providers and services and specifically on the need to expand their local calling area. She stated that additional Extended Area Service (EAS) routes need to be implemented.

Dr. Eric Jones, from Central Community College in Grand Island, testified. He urged the Commission to improve technology in rural areas, as well as in the more urban areas of the state. He also stated that competition is a positive way to improve information technology within Nebraska.

Mr. Steve Batty, of McCook, testified that additional EAS routes are needed in his area. By adding EAS to communities, he stated the Internet could be accessed locally, new businesses could be created and people working outside the community would be able to access their home without paying high intrastate toll charges.

Other testimony urged the Commission to open up the telecommunication marketplace to allow for new alternative providers. It was also stressed that in order to successfully allow new participants to enter the market, a number of issues must be addressed, such as the need for number portability and appropriate interconnection arrangements.

Consumers throughout the state must be given foremost consideration when developing local competition in the telecommunications industry. Therefore, the Commission hereby formally adopts the following consumer issues as guidelines to opening the local telecommunications markets to competition in Nebraska.

The consumer issues are as follows:

- (1) Consumers should receive better service at competitive prices and have an increased choice of telecommunications providers and services within reasonable time frames;

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- (2) Consumers in all exchanges should be offered equal access and intraLATA dialing parity as soon as possible enabling all consumers to select the long distance provider of their choice;
- (3) Consumers should be able to keep their telephone numbers when they change providers and be listed in a central directory;
- (4) Consumers' choice of providers and services should not be changed without the authorization of the consumer;
- (5) Consumers should receive touch-tone, 911 service and a calling area containing a sufficient community of interest as a part of basic local service;
- (6) Consumers should utilize a telecommunications network that appears transparent to the customer, allowing the consumer to make and receive calls using any provider without dialing extra codes or experiencing a reduction in transmission quality;
- (7) Consumer conversations and data should be confidential. Companies shall respect consumers' right to nonlisted and/or nonpublished numbers. Consumers will be protected from unauthorized use of his or her equipment, records and/or payment history;
- (8) Consumers should have equal opportunity to access basic, as well as enhanced telecommunications services and the Internet within reasonable time frames;
- (9) Consumers should be notified about any pending changes in prices and services and will be provided with basic descriptions of telecommunications services and how to use the services;
- (10) Consumers having problems with their provider should have access to a consumer hot line staffed by each provider; and
- (11) Consumers should receive consumer protection through complaint resolution, monitoring and enforcement by the Nebraska Public Service Commission.

The only change that occurred in the eleven (11) original issues to be addressed occurred in regards to the dialing parity issue (Issue 2). The change eliminated the specified time-frame for the implementation of dialing parity in order to bring the issue in line with the mandates of the Federal Telecommunications Act of 1996, see Section 271(e) (2).

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O R D E R

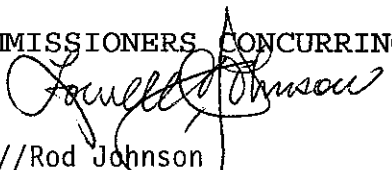
IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above mentioned consumer issues shall be adopted as guidelines to opening the local telecommunications markets to competition in Nebraska.

IT IS FURTHER ORDERED that consumers throughout Nebraska must continue to be given foremost consideration when implementing local competition in the State of Nebraska.

MADE AND ENTERED at Lincoln, Nebraska this 2nd day of July, 1996.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


//s//Rod Johnson
//s//Frank Landis
//s//James F. Munnelly

Chairman

ATTEST:



Executive Director