

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)
on the telecommunications)
industry in Nebraska.) Entered: December 19, 1995

PROGRESSION ORDER

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. Now, the Commission finds 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.

To advance these goals, the Commission finds that hearings should be held to receive testimony regarding the implementation of local competition in Nebraska.

Consumers throughout the state must be given foremost consideration when developing local competition in the telecommunications industry. Therefore, the Commission hereby proposes that the following principles be formally adopted as preconditions to opening the local telecommunications markets to competition in Nebraska.

The proposed consumer issues consist of the following:

- (1) Consumers should receive better service at competitive prices and have an increased choice of telecommunications providers and services within reasonable time frames;
- (2) Consumers in all exchanges should be offered equal access on or before July 1, 1997, and intraLATA dialing parity concurrent with full intrastate toll competition enabling all consumers to select the long

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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.

Additional issues may be raised by the evidence that may broaden the investigation and require additional findings. The Commission intends to move with dispatch to implement competition within the state of Nebraska. Local exchange competition should be allowed beginning July 1, 1997. As of January 1, 1997, the Commission should permit the filing of applications for local authority. Rules and regulations must be promulgated to effectively implement local competition, and

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the Commission believes this rule-making should be completed before the July 1, 1997 implementation date. Therefore, respondents are encouraged to provide testimony on the proposed principles embodied in the consumer issues, as well as the appropriate process to follow in developing the necessary rules and regulations to implement local telecommunications competition.

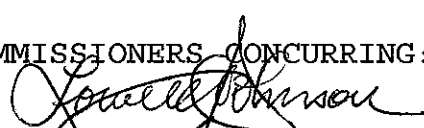
O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that comments and recommendations on the issues set forth herein will be received at public hearings to be held at the following locations: 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. Other hearings may be scheduled if deemed necessary.

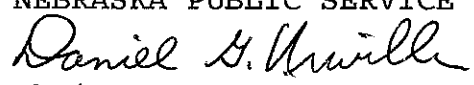
IT IS FURTHER ORDERED that parties are not restricted from raising and commenting on other related issues to transition the state of Nebraska to a competitive telecommunications environment.

MADE AND ENTERED at Lincoln, Nebraska this 19th day of December, 1995.

COMMISSIONERS CONCURRING:


//s//Rod Johnson
//s//Frank E. Landis
//s//James F. Munnelly
//s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
