

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1128
of the Commission, on its own) Progression Order No. 3
motion, to set guidelines for)
mediation, arbitration and review) POLICY AMENDED
of negotiated agreements under)
the Telecommunications Act of 1996.) Entered: April 9, 2002

BY THE COMMISSION:

On July 16, 1996, the Commission entered Progression Order No. 3 in Application No. C-1128, offering a proposed mediation/arbitration policy statement. On August 20, 1996, the Commission adopted its mediation and arbitration policy to carry out the mandates of Section 252 of the 1996 Telecommunications Act. This policy was subsequently modified on August 27, 1996, and March 4, 1997.

On May 27, 1997, the Commission again modified said policy to include the following regarding 252(i) requests:

Section 252(i) ISSUE 1.

Section 252(i) requests shall be filed in accordance with the attached Appendix A, B and C forms.

Section 252(i) ISSUE 2.

Upon receipt of a Section 252(i) request for adoption of an approved interconnection agreement from a certified local exchange carrier, the Commission will publish notice of the application in The Daily Record. Section 252(i) applications shall be effective ten days following the filing of notice with the Commission.

However, on June 6, 2000, the Commission clarified its intent by modifying its aforementioned policy as it related to ISSUE 2 and the protest period start date. The policy was amended as follows:

Section 252(i) ISSUE 2.

Upon receipt of a Section 252(i) request for adoption of an approved interconnection agreement from a certified local exchange carrier, the Commission will publish notice of the application in The Daily Record. Section 252(i) applications shall be effective ten days following said publication of notice of the application.

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

In light of the recent Commission approval of Qwest Corporation's Statement of Generally Available Terms (SGAT), the Commission staff has recommended that the above policy be amended to permit an expedited process for approving interconnection agreements that adopt, in entirety, a Commission approved SGAT.

As the Commission has fully reviewed and approved at least one version of Qwest's SGAT, it is of the opinion and finds that an expedited approval process is appropriate where a proposed interconnection agreement consists of the adoption of an approved SGAT.

Therefore, the Commission is of the opinion that such agreements may be approved in a similar fashion to that of Section 252(i) agreements. Accordingly, the Commission's interconnection agreement policy is amended as follows:

Upon receipt of a request for adoption of an SGAT interconnection agreement from a certified local exchange carrier, the Commission will publish notice of the application in The Daily Record. Such applications will be effective ten days following said publication of notice of the application.

Requests for adoption of an SGAT interconnection agreement shall be filed in accordance with the form attached as Appendix D.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the revision to the above policy statement described herein is adopted.

MADE AND ENTERED at Lincoln, Nebraska, this 9th day of April, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director