

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)
reviews of negotiated agreements) POLICY AMENDED
under the Telecommunications Act)
of 1996.) Entered: June 6, 2000

BY THE COMMISSION:

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

On May 28, 1997, the Commission entered an order amending the Commission Policy of Negotiation, Mediation and Arbitration 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.

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

In light of the recent confusion regarding the effective date for Section 252(i) filings, the Commission is of the opinion and finds that the aforementioned policy should be amended. In so doing, the 10-day protest period for Section 252(i) will run from the date said application is published, rather from when the application is received by the Commission.

Therefore, Section 252(i) Issue No. 2 is hereby amended to read as follows:

Upon receipt of a Section 252(i) requests 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 R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the amendments to the mediation/arbitration policy statement described herein are adopted.

IT IS FURTHER ORDERED that Appendix A, previously adopted on May 28, 1997, shall be revised to reflect this amendment to our policy.

MADE AND ENTERED at Lincoln, Nebraska this 6th day of June, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

[Appendix A]

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-_____
of [APPLICANT] seeking Approval)
of Interconnection Pursuant to 47)
USC § 252(i).)

[Applicant] hereby requests invoking 47 USC §252(i) in order to obtain from [Incumbent Local Exchange Provider] the interconnection, service and network elements under the terms of the Interconnection Agreement approved in Application No. [C-XXXX]. The agreement between [Incumbent Local Exchange Carrier] and [Competitive Local Exchange Carrier] became effective on [Date].

[Applicant] proposes that this request to invoke 47 USC § 252(i) relative to the Interconnection Agreement shall be effective ten (10) days following the publication of this notice of the application.

Dated this ____ day of ____, 2000.

[Applicant's Address]

[Applicant's Signature]

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