

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of AT&T's petition) Application No. C-1400
for arbitration pursuant to)
§252(b) of the Telecommunications) MOTION DISMISSED
Act of 1996 to establish an)
interconnection agreement with)
GTE Midwest, Inc.) Entered: September 17, 1996

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

BY THE COMMISSION

On August 16, 1996, AT&T of Denver, Colorado filed a petition for arbitration pursuant to §252(b) of the Telecommunications Act of 1996 to establish an interconnection agreement with GTE Midwest, Inc.

Notice of the filing of the petition was published pursuant to the provisions of the Commission's Rules and Regulations. Notice of the application appeared in the Omaha Daily Record on August 21, 1996.

In the petition AT&T requests the Nebraska Public Service Commission ("Commission") arbitrate the issues which remain unresolved in the interconnection negotiations between AT&T and GTE Midwest, Incorporated ("GTE")

On September 16, 1996, the Commission received a Joint Motion from Sprint Communications Company L.P and United Telephone Company of the West d/b/a/ Sprint for the Commission to open a generic proceeding to examine GTE's costs and determine the rates that GTE can charge under the Telecommunications Act of 1996 and the FCC's interconnection rules for interconnection, unbundled elements, transport and termination of traffic, and wholesale services available for resale.

Sprint contends that by opening a generic proceeding it would allow all interested parties to review GTE's cost studies and provide meaningful input to the Commission in setting the rates for interconnection, unbundled network elements, transport and termination of traffic and resale. In the interim, the Commission can impose the proxy or default rates prescribed in the FCC's interconnection rules.

Prior to the Sprint Motion, the Commission, on its own initiative, instituted such a proceeding as described above. As a result, any new proceeding would result in unnecessary duplication.

Application No. C-1400

PAGE TWO


Upon consideration of the motion, and being fully advised, the Commission is of the opinion that the action previously taken by the Commission in initiating such a proceeding on its own initiative satisfies the concerns expressed in the motion, and as such the motion should be dismissed.

O R D E R

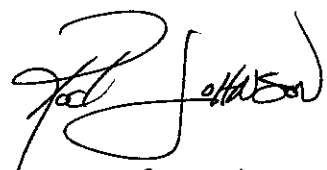
IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Joint Motion to open a generic proceeding on GTE's rates for interconnection, unbundled elements, transport and termination, and resale made by Sprint under Application No. C-1400 be, and it is hereby, dismissed.

MADE AND ENTERED at Lincoln, Nebraska this 17th day of September, 1996.

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