

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-1604
of the Nebraska Public Service)
Commission on its own Motion to) ETC's Designated
Designate Telecommunications)
Carriers Eligible to Receive)
Federal Universal Service Support) Entered: December 9, 1997

BY THE COMMISSION:

On August 12, 1997, this docket was opened to designate telecommunications carriers eligible to receive federal universal service support and to define the service areas for which carriers shall receive support pursuant to the Federal Communications Commission (FCC) Order, Common Carrier Docket CC-96-45. Initial comments were due by September 12, 1997, and reply comments due September 30, 1997. On October 15, 1997, an order was entered designating both rural and non-rural Eligible Telecommunications Carriers (ETCs) for Nebraska, as well as service areas for ETCs. On October 22, 1997, a clarification order was entered explaining that the service areas for rural carriers were their study areas.

It has come to our attention that it may be necessary to designate telecommunication companies which have exchanges that cross state boundaries as ETCs. A small number of companies primarily operate in neighboring states; however, serve a small number of access lines in Nebraska. To ensure that the Nebraska access lines served by these out-of-state companies are calculated for federal universal service support, we reopen this docket for the limited purpose to designate such companies as ETCs for the state of Nebraska.

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

The Telecommunications Act of 1996 (the Act) introduced the a new federal universal service program, as well as the concept of ETCs. ETCs are defined in 47 U.S.C. Section 214(e) as:

- (1) A common carrier designated as an eligible telecommunications carrier ... shall be eligible to receive universal support ... and shall, throughout the service area for which the designation is received-

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- (A) offer the services that are supported by Federal universal service support mechanisms under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier); and
- (B) advertise the availability of such services and the charges therefor using media of general distribution.

The FCC Order 96-45 determined that the supported services provided by ETCs must include voice grade access to the public switched network, a certain amount of free local usage, dual tone multi-frequency signaling or its functional equivalent, single-party service, access to emergency services, access to operator services, access to interexchange service, and access to directory assistance. In addition, ETCs must provide Lifeline and Link Up to eligible subscribers. As part of Lifeline, ETCs must offer voluntary toll limitation services in exchange for reduced or zero deposits. The FCC Order also requires state commissions to establish service areas for ETCs for the purpose of determining universal service obligations and support mechanisms.

Some companies have written us indicating that they primarily operate in the neighboring states of Colorado, Kansas or South Dakota, but do provide telecommunications service to a small number of subscribers located in Nebraska. This is because their exchange boundaries cross the state boundary line. These companies will provide the services required by the FCC Order, and accordingly, we find it is reasonable to designate such companies as ETCs. The following companies are:

<u>Company Name</u>	<u>Number of Customers in NE</u>
Blue Valley Telephone Company	46
JBN Telephone Company	4
Peetz Cooperative Telephone Company	10
Rural Telephone Service Co., Inc.	12
Vivian Telephone Company	20
Golden West Telecommunications Coop. Inc.	85

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This Commission does not regulate the operations of these companies. They are regulated by the Colorado Public Utilities Commission (CPUC), Kansas Corporation Commission (KCC), and the South Dakota Public Service Commission (SDPSC). As such, we find the Nebraska service areas of these companies should be incorporated into the areas designated by the CPUC, KCC and the SDPSC.



O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Blue Valley Telephone Company; JBN Telephone Company; Peetz Cooperative Telephone Company; Rural Telephone Service Co., Inc.; Golden West Telecommunications Coop. Inc.; and Vivian Telephone Company are Eligible Telecommunications Carriers in Nebraska as described herein.

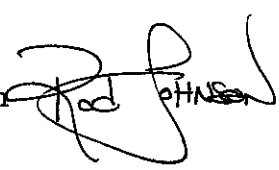
MADE AND ENTERED at Lincoln, Nebraska, this 9th day of December, 1997.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

//s//Rod Johnson
//s//Frank E. Landis

Chairman 

ATTEST:



Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION
