

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,     ) Application No. C-1628  
on its own motion, seeking to         )  
conduct an investigation into           )  
intrastate access charge reform       ) PROGRESSION ORDER NO. 23  
and intrastate universal service       )  
fund.                                     )  
  ) Entered: July 8, 2003

BY THE COMMISSION:

1. This matter comes before the Commission upon the request filed by Keystone-Arthur Telephone Company (Keystone) on April 29, 2003, for approval of a modification in the calculation of its earnings.

2. In its request, Keystone states that it wishes to change the elections selected in the required reporting of earnings from a one-year to a three-year period effective for the 2001 reporting period.

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

3. In the C-1628 Order, the Commission permitted ILECs to utilize a one-year or three-year averaged period for the determination of the ILEC's earnings relative to the calculation of NUSF payments. Although the Commission will not consider requests such as this lightly, upon review of the particular facts which led to the applicant's request and being fully advised in the premises, the Commission finds that the requested filed by Keystone should be approved effective for the 2002 reporting period, which includes 2000, 2001 and 2002. Although it was requested by Keystone, the Commission will not grant Keystone the ability to retroactively calculate its earnings on a three-year averaged period.

4. Pursuant to the Hearing Officer Order entered on May 7, 2003, Keystone should file its final 2002 NUSF-EARN form no later than two weeks from the date ascribed to this Order.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request filed by Keystone should be and it is hereby granted as set forth herein.

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IT IS FURTHER ORDERED that Keystone file its final 2002 NUSF-EARN form no later than two weeks from the date this Order is entered.

MADE AND ENTERED at Lincoln, Nebraska, this 8th day of July 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director