

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-1758  
of GTE Communications Corporation,) )  
Irving, Texas, seeking authority )  
to invoke Section 252(i) of the )  
Telecommunications Act of 1996 to ) Interconnection  
utilize the Arbitrated Intercon- ) Agreement Approved  
nection Agreement between AT&T )  
Communications of the Midwest, )  
Inc. and GTE Midwest, Inc. to )  
obtain interconnection from GTE )  
Midwest, Inc. ) Entered: March 10, 1998

BY THE COMMISSION

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

On February 18, 1998, GTE Communications Corporation (GTECC), Irving, Texas, filed an application requesting authority to invoke Section 252(i) of the Telecommunications Act of 1996 (the Act) to utilize the arbitrated agreement between AT&T Communications of the Midwest, Inc. (AT&T) and GTE Midwest, Inc. (GTE). Notice of the application was published in The Daily Record on February 19, 1998. The Nebraska Independent Telephone Association filed comments on the application. No protests were filed; therefore, this application has been administered pursuant to the Commission's modified procedure rule.

GTECC wishes to establish an interconnection agreement with GTE and accordingly, seeks to adopt the AT&T/GTE interconnection agreement. The AT&T/GTE agreement was approved by the Commission pursuant to Application C-1400 and became effective May 29, 1997.

GTECC has not obtained a certificate of public convenience and necessity to provide local exchange service from this Commission. Therefore, while Section 252(i) of the Act allows a local exchange carrier to adopt a Commission-approved interconnection agreement, GTECC cannot provide local exchange services in Nebraska under this agreement until proper certification is received.

On May 28, 1997, the Commission added language to its mediation/arbitration policy (see Application No. C-1128, Progression Order No. 3) which sets forth the procedures to be followed for a Section 252(i) request. GTECC has followed the procedures required by the Commission's policy.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application C-1758 be, and it is hereby, approved and GTE Communications Corporation is authorized to adopt the arbitrated agreement between AT&T Communications of the Midwest, Inc. and GTE Midwest, Inc.

IT IS FURTHER ORDERED that GTE Communications Corporation's adoption of the arbitrated agreement between AT&T Communications of the Midwest, Inc. and GTE Midwest, Inc. became effective February 28, 1998.

IT IS FURTHER ORDERED that a signed agreement of GTE Communications Corporation's adaptation of the AT&T Communications of the Midwest, Inc./GTE Midwest, Inc. arbitrated agreement reflecting GTECC and GTE as parties to the agreement be filed with the Commission in paper copy, as well as electronically, on or before March 27, 1998.

IT IS FINALLY ORDERED that GTE Communications Corporation shall not provide local exchange services in Nebraska under this agreement until it is granted a certificate of public convenience and necessity.

MADE AND ENTERED at Lincoln, Nebraska, this 10th day of March, 1998.


NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

//s//Lowell C. Johnson  
//s//Frank E. Landis  
//s//Daniel G. Urwiller

  
Chairman

ATTEST:

  
Executive Director