

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

The Commission, on its own) APPLICATION NO. C-1882/PI-24
motion, to determine appropriate) ORDER INITIATING
policy for providing public) INVESTIGATION
interest pay phones in Nebraska.) ENTERED: August 11, 1998

BY THE COMMISSION:

At its August 11, 1998, regularly scheduled meeting, the Nebraska Public Service Commission (Commission) voted to open a docket concerning the Federal Communications Commission's (FCC) September 20, 1996, Report and Order in CC Docket No's. 96-128, and 91-35. The Report and Order required state commissions to establish a policy on public interest pay telephones within two years of its release. In the Report and Order, the FCC established "guidelines by which the states may ensure the maintenance of payphones serving the public interests in health, safety and welfare, in locations where they would not otherwise be available as a result of the operation of the market." Report and Order paragraph 264. The FCC directed that each state review whether it has adequately provided for public interest payphones. Specifically, each state must evaluate "whether it needs to take any measures to ensure that payphones serving important public interests will continue to exist in light of the elimination of subsidies and other competitive provisions established pursuant to Section 276 of the 1996 (Telecommunications) Act, and that any existing programs are administered and funded consistent with the requirements described above." Report and Order paragraph 285.

The Commission requests that by September 11, 1998, all interested persons submit written comments on whether the Commission needs to take any measures to ensure that payphones serving important public interests will continue in light of the elimination of subsidies and other competitive provisions established pursuant to Section 276 of the 1996 Act. Specifically, the Commission is interested in:

1. Whether the Commission's current rules concerning payphones should remain in effect as written;
2. What needs Nebraska communities have in regard to public interest pay telephones;
3. What obstacles exist to the continued provision of pay telephones;
4. Whether there are alternative means for meeting the public interest payphone needs of Nebraska communities; and
5. How should payphones be supported if they do not cover their own costs?

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A policy order will be proposed for adoption at the Commission meeting on September 21, 1998.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that interested parties may submit comments and recommendations on the issues raised herein on or before September 11, 1998.

IT IS FURTHER ORDERED that an original, two paper copies, and one electronic copy (in WordPerfect format) of comments be submitted on or before September 11, 1998.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of August, 1998.

COMMISSIONERS CONCURRING:

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

NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Director