BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of GCC License Corporation (Western Wireless), Issaquah, Washington, seeking designation as an Eligible Telecommunications Carrier that may receive Universal Service support.	)	Application No. C-1889
	)	ORDER DENYING RECONSIDERATION
	)	Entered: September 11, 2002

BY THE COMMISSION:

On February 26, 2002, Western Wireless filed a Second Amended Advertising Plan after receiving direction from the Commission to amend its proposed amended advertising plan at the oral argument held on February 14, 2002. On March 25, 2002, the Commission received an objection to the Second Amended Advertising Plan from intervenors, collectively identifying themselves as the "Independents" in this proceeding. The Commission entered an order disapproving Western Wireless' Second Amended Advertising Plan on June 18, 2002 (Second Compliance Order).

On July 1, 2002, Western Wireless filed a motion requesting reconsideration of the Commission's Second Compliance Order. In its motion, Western Wireless stated that it believed that the Second Amended Advertising Plan complied with the order and direction of the Commission in the February 14, 2002, proceeding. Western Wireless cites extensively to the February 14, 2002, record to support its argument

On July 18, 2002, the Independents filed a response to Western Wireless' Motion for Reconsideration. In its response, the Independents argued that Western Wireless' advertising plan failed to comply with the Commission's February 14, 2002, directives.

On August 13, 2002, the Commission entered an order on reconsideration of the Second Amended Advertising Plan. In that order, the Commission approved the Second Amended Advertising Plan filed by Western Wireless as modified by Western Wireless' motion for reconsideration.

On August 23, 2002, the Independents filed a motion for reconsideration of the Commission's order approving the Second Amended Advertising Plan. On September 3, 2002, the Commission received a response to the Independent's motion for reconsideration from Western Wireless.

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

Upon consideration of all of the arguments presented to date, the Commission finds no reason to change its decision to approve Western Wireless' Second Amended Advertising Plan. Therefore, the Motion for Reconsideration filed by the Independents should be denied.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Motion for Reconsideration filed by the Independents on August 23, 2002, should be, and it is hereby, denied.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of September, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

COMMISSIONERS DISSENTING:

Commissioners Rod Johnson and Jerry Vap dissenting:

I write separately to respectfully express my disagreement with the Commission's approval of Western Wireless' Second Amended Advertising Plan. In my opinion, Western Wireless has still not provided the Commission or consumers with a clear description of its basic universal service (BUS) offering through its advertising plan. I have not yet seen Western Wireless define the exact local calling areas for its BUS offering. In addition, the Commission has not been provided with pertinent information on the geographic calling limitations that will be placed on its service. Further information should be required

as a prerequisite to approval of Western Wireless' Second Amended Advertising Plan.

Moreover, I am concerned that the Commission has opened the door to supporting other cellular providers who convert their service into a similar wireless BUS offering. This exposes the Nebraska Universal Service Fund to providing universal service support to multiple competing networks. I do not believe that supporting duplicate or multiple competing networks would be in the public's best interest. Rather, it could have the effect of depriving either network of necessary support and depriving consumers of quality telecommunications services.

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Commissioner Rod Johnson

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Commissioner Jerry Vap