

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the joint Appli-) Application No. C-1902
cation of Wireless II, LLC of)
Grand Island, Nebraska, and US West) AMENDED ORDER APPROVING
Communications, Inc. of Denver,) INTERCONNECTION AGREEMENT
Colorado, seeking approval of their)
voluntarily-negotiated interconnec-)
tion agreement.) Entered: December 7, 1998

BY THE COMMISSION:

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

On September 3, 1998, Wireless II, LLC (Wireless II) and US West Communications, Inc. (US West) jointly filed an application seeking approval of their voluntarily-negotiated interconnection agreement. Notice of the application was published in The Daily Record on September 9, 1998. The Nebraska Independent Telephone Association filed comments on Wireless II and US West's interconnection agreement. No protests were filed. Therefore, the application was processed pursuant to the Commission's Rule of Modified Procedure.

Pursuant to Section 252(a) of the Telecommunications Act of 1996 (the Act), Wireless II and US West entered into a master resale interconnection agreement arrived at through voluntary negotiations. An executed copy of the voluntarily-negotiated interconnection agreement is contained within the application.

Neither the agreement nor any portion thereof discriminates against any telecommunications carrier that is not a party to the agreement. Furthermore, the implementation of the agreement is consistent with the public interest, convenience and necessity.

Section 252(e) of the Act requires this Commission to review negotiated interconnection agreements to ensure they comply with Sections 251 and 252(d) of the Act, as well as all applicable state laws. Using those standards, the interconnection agreement filed September 3, 1998, was initially approved by this Commission on October 7, 1998.

Upon further review, the Commission has determined that Wireless II cannot be required to obtain a Certificate of Public Convenience and Necessity from this Commission prior to providing wireless local exchange service in Nebraska as they are currently exempted from regulation pursuant to Neb. Rev. Stat. Sect. 86-808. Therefore, the Commission finds that the above requirement previously set forth in the opinion and findings section of the original order approving the interconnection agreement is null and void.

Application No. C-1902

PAGE TWO

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the voluntarily-negotiated interconnection agreement between Wireless II, LLC and US West Communications, Inc. is, and remains hereby, approved.

IT IS FURTHER ORDERED that the clause outlining the requirement for Wireless II, LLC to obtain a Certificate of Public Convenience and Necessity contained in the original order approving the interconnection agreement is currently inconsistent with state statute and is therefore null and void.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of December, 1998.

NEBRASKA PUBLIC SERVICE COMMISSION

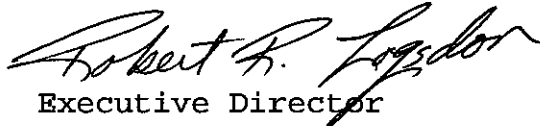
COMMISSIONERS CONCURRING:



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


Chairman

ATTEST:


Executive Director