

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Cable USA, Inc.,) Application No. C-2028
Kearney, Nebraska, seeking approval)
of interconnection pursuant to) INTERCONNECTION AGREEMENT
47 USC § 252(i) with GTE Midwest,) APPROVED
Inc., Wentzville, Missouri.)
) Entered: April 20, 1999

BY THE COMMISSION:

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

On April 5, 1999, Cable USA, Inc. (Cable USA) and GTE Midwest, Inc. (GTE) filed a joint application requesting authority to invoke Section 252(i) of the Telecommunications Act of 1996 (the Act) to utilize the agreement containing the terms and conditions of GTE's Interconnection Resale and Unbundling Agreement with AT&T Communications of the Midwest, Inc. (AT&T). Notice of this application was published in The Daily Record, Omaha, Nebraska, on April 7, 1999. No protests were filed; therefore, this application has been administered pursuant to the Commission's modified procedure rule.

Cable USA obtained a certificate of public convenience and necessity to provide local exchange service from the Commission pursuant to Application No. C-1869 on November 24, 1998. Section 252(i) of the Act allows a certificated local exchange carrier to adopt a Commission-approved interconnection agreement. Cable USA wishes to establish an interconnection agreement with GTE and accordingly seeks to adopt the GTE/AT&T agreement approved by the Commission pursuant to Application No. C-1400 on June 4, 1997.

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

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2028 be, and it is hereby, approved and Cable USA, Inc. is authorized to adopt the arbitrated agreement between GTE Midwest, Inc. and AT&T; Communications of the Midwest, Inc.

IT IS FURTHER ORDERED that Cable USA, Inc.'s adoption of the arbitrated agreement between GTE Midwest, Inc. and AT&T; Communications of the Midwest, Inc. became effective on April 15, 1999.

IT IS FURTHER ORDERED that a signed agreement of Cable USA, Inc.'s adoption of the GTE Midwest, Inc./AT&T; Communications of

the Midwest, Inc. arbitrated agreement be filed with the Commission in paper copy, as well as electronically, on or before May 4, 1999.

MADE AND ENTERED at Lincoln, Nebraska, this 20th day of April, 1999.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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