

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

The Commission on its own) Application C-2044/PI-26
motion, to conduct an inves-)
tigation for determination of)
requirements for implementation) Hearing Procedures
of the contract carriers)
provisions contained in)
Legislative Bill 150 (1999).) Entered: October 26, 1999

BY THE COMMISSION:

The Commission opened this docket on May 12, 1999, as a vehicle to ascertain the issues surrounding the development of agency rules regarding the regulatory treatment of telecommunications contract carriers. The Commission requested comments to a series of questions, and held a "roundtable" discussion with commentators to define and discuss the issues.

On October 26, 1999, the Commission opened Rule and Regulation Proceeding No. 146 to consider the draft rules that arose from these proceedings. Through the course of this docket, Nebraska Public Power District raised a question which is not specifically addressed in the Rules proceeding. On November 29, 1999, the Commission will hold a hearing in legislative format to consider **whether the provision of dark fiber makes an entity a telecommunications provider subject to the jurisdiction of the Commission.**

The hearing will be conducted in a legislative format. Interested parties making presentations will not be subject to cross-examination from other parties. However, Commissioners and staff may direct questions to presenters. Attorneys wishing to participate need not be licenced in Nebraska to do so.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the procedures described above in Application No. C-2044/PI-26 be, and are hereby, adopted.

MADE AND ENTERED at Lincoln, Nebraska, this 26th day of October, 1999.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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