

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. C-2081
on its own motion, to estab-)
lish procedures for processing)
a US West Communications' State-) Progression Order No. 1
ment of Generally Available)
Terms (SGAT) pursuant to Sec-)
tion 252(f) of the 1996 Telecom-) Entered: December 21, 1999
munications Act.

BY THE COMMISSION:

On July 12, 1999, on its own motion, the Commission opened this docket to establish procedures to process a US West Communications' Statement of Generally Available Terms (SGAT) under Section 252(f) of the Telecommunications Act of 1996.

Subsequently, on July 29, 1999, US West filed its SGAT, and the Commission held an oral argument on August 25, 1999, on how to process the filing. After consideration of the arguments, the Commission determined that it should allow the SGAT to take effect after the expiration of 60 days, but concluded that under Section 252(f)(4), the Commission would conduct an ongoing review of the SGAT until finally approved. The Commission specifically noted that while the Commission allowed the SGAT to take effect, it should not be construed as either the Commission's approval nor rejection of the SGAT. The Commission also noted that while US West may refer to the SGAT in other proceedings, it is cautioned against relying on the document as persuasive support for its positions in such proceedings.

On December 9, 1999, US West filed a revised SGAT that updates the original SGAT filed on July 29, 1999. Said revised SGAT is the subject of this order.

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

The Commission is of the opinion and finds that to properly administer the appropriate level of review necessary to examine and potentially approve revised SGATs on an ongoing basis, it will be necessary to docket each such revised SGAT under a separate docket. Therefore, the Commission hereby moves the revised SGAT filed by US West on December 9, 1999, into Docket No. C-2185 for further consideration thereunder. Furthermore, should US West file additional revised SGATs, such filings should be made in the form of a new application for treatment in accordance with traditional Commission rules and regulations.

Nonetheless, in an effort to speed the consideration of the revised SGAT currently on file, the Commission seeks comment on the present US West revised SGAT. As such, interested parties are hereby directed to file comments on US West's revised SGAT on or before January 21, 2000. Reply comments will be due February 21,

2000. Additional proceedings for review of said comments and/or the revised SGAT itself may be commenced by the Commission upon conclusion of the initial review of the SGAT and all filed comments.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the revised SGAT filed by US West on December 9, 1999, shall be reviewed under Docket No. C-2185.

IT IS FURTHER ORDERED that future revisions to SGATs shall be filed in accordance with the traditional Commission rules and regulations as they pertain to new applications.

IT IS FINALLY ORDERED that interested parties shall file comments on the revised SGAT on or before January 21, 2000, and reply comments on or before February 21, 2000. All such comments shall be filed under Docket No. C-2185 and include one original and five copies as well as an electronic version in WordPerfect format.

MADE AND ENTERED at Lincoln, Nebraska, this 21st day of December, 1999.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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