

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-2378  
of Citizens Telecommunications )  
Company of Nebraska of Mound, )  
Minnesota, seeking approval of )  
assignment and modification of ) GRANTED  
interconnection agreement between )  
GTE Midwest Incorporated and )  
New Edge Network Inc., pursuant )  
to 47 U.S.C. § 252(e). ) Entered: October 3, 2000

BY THE COMMISSION:

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

On August 30, 2000, an application was filed by Citizens Telecommunications Company of Nebraska (Citizens) of Mound, Minnesota, seeking approval of the assignment and modification of an interconnection agreement between GTE Midwest Incorporated (GTE) and New Edge Network, Inc., pursuant to 47 U.S.C. § 252(e). Notice of the application was published in The Daily Record, Omaha, Nebraska, on September 1, 2000. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Pursuant to Section 252(a) of the Telecommunications Act of 1996 (the Act), New Edge and GTE entered into an interconnection agreement, which became effective on August 29, 2000.

On April 5, 2000, pursuant to Application No. C-2148, this Commission approved the sale of GTE's local exchanges and the assets associated therewith to Citizens Utilities Company. Consequently, New Edge, GTE and Citizens have executed an Agreement to Modify and Assign Interconnection, Resale and Unbundling Agreement (the assignment agreement) which results in the assignment of GTE's rights and obligations under the interconnection agreement to Citizens, and also modifies several provisions of the interconnection agreement.

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. The Commission finds that none of the modifications of the interconnection agreement discriminate against any telecommunications carrier that is not a party to the agreement. Furthermore, the interconnection agreement, as modified, is consistent with the public interest, convenience and necessity. Using those standards, the modifications of the interconnection agreement should be approved. Furthermore, the assignment of the interconnection agreement from GTE to Citizens is fully consistent with our

findings in Application No. C-2148 and should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2378 be, and it is hereby, granted.

IT IS FURTHER ORDERED that an updated interconnection agreement, reflecting New Edge Networks, Inc. and Citizens as parties to the agreement, and reflecting the modifications set forth in the assignment agreement, be filed with the Commission within 45 days from the date of this order.

MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of October, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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