

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Qwest Corporation ) Application No. C-2537  
seeking approval of its revised )  
statement of generally available )  
terms (SGAT) pursuant to section ) MOTION GRANTED  
252(f) of the 1996 Telecommuni- )  
cations Act. ) Entered: July 11, 2001

BY THE COMMISSION:

On June 26, 2001, pursuant to Application No. C-2537, Qwest Corporation of Denver, Colorado, filed a motion in which they requested the Commission to join the Seven State Collaborative for additional review of the Performance Assurance Plan (PAP).

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

In August of 2000, state regulatory commissions in eleven of the fourteen states in the Qwest region, including Nebraska, were invited to participate in collaborative workshops to develop a post 271 entry performance assurance plan (PEPP). A series of conference calls and five multi-day workshops were held between October 2000 and May 2001, with representatives of eleven states, competitive local exchange carriers (CLECs) and Qwest under the auspices of the Regional Oversight Committee (ROC). Under the direction of the Maxim Telecom Group (MTG), the collaborative engaged in presentations and debate over key areas of the proposed plans. MTG issued its final report on the workshops, listing the agreements reached and the areas in which the parties were unable to reach agreement.

On June 25, 2001, Mr. Antonuk, on behalf of the seven state collaborative, led a discussion in which the parties debated the identification of procedural matters for the PAP and the evaluation of the sufficiency of the Qwest's Performance Assurance Plan (QPAP) as evidence that Qwest will meet its 271 obligations. In addition, also discussed was potential for having other states, including Nebraska, join the seven state process.

As a result of this discussion, Mr. Antonuk announced a procedural process for addressing QPAP, which was subsequently filed with the Commission. Qwest believes that the process will consist of the following: Qwest will file its QPAP and the MTG report; briefs and reply briefs from the parties identifying issues; a report for Mr. Antonuk on the identified issues, if any, requiring further evidence and testimony; a presentation of those issues, if

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necessary; and a final report from Mr. Antonuk. Qwest states that Mr. Antonuk will reserve time in August in the seven state collaborative for any presentation of evidence, thus the process will conclude no later than early to mid September.

Qwest suggested that when the Commission receives the Antonuk report and the associated record, it can hear oral arguments if necessary to determine if it is in the Commission's best interest to adopt the report on the QPAP for inclusion in its recommendation to the Federal Communications Commission (FCC). Qwest believes that this will be in the best interest of the Commission because by joining the seven state collaborative, it will create an appropriate record addressing the QPAP without the parties having to duplicate the process of the state collaborative.

In consideration of Qwest's motion, the Commission is of the opinion and finds that Nebraska should join the seven state collaborative for the purpose of Qwest's Performance Assurance Plan.

O R D E R

IT IS THEREFORE ORDERED that Qwest's motion be granted and the Nebraska Public Service Commission will join the Seven State Collaborative for the limited purpose of reviewing the Performance Assurance Plan.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of July, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Laurel Johnson*

*Anne C. Boyle*

*Ed. [unclear]*

//s//Frank E. Landis

*Frank Landis*  
Chairman

ATTEST:

*Ad S. Pollack*  
Executive Director