

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-2770  
of Qwest Corporation of Denver, )  
Colorado, and KMC Telecom V, )  
Inc. of Lawrenceville, Georgia, )  
seeking approval of an Internet ) GRANTED  
Service Provider amendment to )  
their interconnection agreement, )  
previously approved in Appli- )  
cation No. C-2240 in the state )  
of Nebraska. ) Entered: September 11, 2002

BY THE COMMISSION:

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

On July 24, 2002, a joint application was filed by Qwest Corporation (Qwest) of Denver, Colorado, and KMC Telecom V, Inc. (KMC) of Lawrenceville, Georgia, seeking approval of an Internet Service Provider (ISP) amendment to their interconnection agreement, previously approved in Application No. C-2240 in the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on July 30, 2002. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Pursuant to Section 252(1) of the Telecommunications Act of 1996 (the Act), Qwest and KMC entered into an interconnection agreement, which was approved by the Commission on April 18, 2000, in Application No. C-2240. In the current application, Qwest and KMC seek to amend the original by adding terms and conditions reflecting an FCC order on remand and report and order in CC Docket 99-68 regarding Intercarrier Compensation for ISP-Bound Traffic.

The amendment does not discriminate against any telecommunications carrier that is not a party to the agreement. Furthermore, the implementation of the amendment is consistent with the public interest, convenience and necessity.

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. Using those standards, the amendment filed July 24, 2002, should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the amendment to the interconnection agreement between Qwest Corporation and KMC Telecom V, Inc., be, and it is hereby, approved.

IT IS FURTHER ORDERED that the executed amendment filed herein be, and it is hereby, made the official copy on file with the Nebraska Public Service Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of September, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director