

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Requests by     ) Application No. C-3423  
34 Nebraska Rural Local Exchange     )  
Carriers to Revise the                 ) PROGRESSION ORDER NO. 1  
Commission's July 20, 2004,            ) ORDER CLARIFYING DEADLINE  
Order Granting Suspension of the       ) FOR IMPLEMENTATION  
Federal Communication                 )  
Commission's Requirement to            )  
Implement Wireline-Wireless           )  
Number Portability.                    ) Entered: February 5, 2008

BY THE COMMISSION:

By Application filed May 11, 2005, 34 Nebraska Rural Local Exchange Carriers (the "RLECs")<sup>1</sup> requested that the Commission enter an order extending the date by which the RLECs are required to file a petition for further relief as set forth in the Commission's July 20, 2004, Order Granting Suspension in Docket C-3096, et al. and the August 3, 2004, Order Granting Limited Extension in Docket C-3207 (collectively referred to herein as the "Suspension Order").

On July 12, 2005, the Commission entered an Order finding that the date by which the RLECs were required to file a petition or petitions for further relief from the obligations of the *Intermodal Order* should be extended from July 20, 2005, to the "Extension Petition Date"<sup>2</sup> and that the termination date for the Suspension Order should be extended to the date that is one hundred twenty (120) days following the "Extension Petition Date" in order that the Commission shall have 120 days to act thereon. The "Extension Petition Date", as a result of the FCC's Order released on November 8, 2007, was December 7, 2007.

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<sup>1</sup> Arapahoe Telephone Company d/b/a ATC Communications; Benkelman Telephone Company, Inc.; Cambridge Telephone Company; Clarks Telecommunications Co.; Consolidated Telephone Company; Consolidated Telco, Inc.; Consolidated Telcom, Inc.; Cozad Telephone Company; Curtis Telephone Company; Dalton Telephone Company, Inc.; Diller Telephone Company; Eastern Nebraska Telephone Company; Elsie Communications, Inc.; Glenwood Telephone Membership Corporation; Great Plains Communications, Inc.; Hamilton Telephone Company; Hartington Telecommunications Co., Inc.; Hartman Telephone Exchanges, Inc.; Hemingford Cooperative Telephone Company; Hershey Cooperative Telephone Company, Inc.; Hooper Telephone Company d/b/a Westel Systems; K&M Telephone Company, Inc.; Keystone-Arthur Telephone Company; Mainstay Communications; Plainview Telephone Company; Nebraska Central Telephone Company; Northeast Nebraska Telephone Company; Pierce Telephone Co.; Rock County Telephone Company; Sometown Telephone; Southeast Nebraska Telephone Company; Stanton Telecom, Inc.; Three River Telco and Wauneta Telephone Company.

<sup>2</sup> The "Extension Petition Date" was defined as thirty (30) days following the date that the Federal Communications Commission (FCC) Order is issued as a consequence of the FCC's completion of the Initial Regulatory Flexibility Analysis.

On December 7, 2007, the Commission received two supplemental applications for relief filed by the Rural Independent Companies (RIC) and the Rural Telephone Coalition of Nebraska (RTCN) representing a group of rural incumbent local exchange carriers. Not all of the 34 RLECs requested additional relief.

This Progression Order is entered to clarify the deadline for implementing wireline-wireless local number portability as determined by the Commission in its July 20, 2005, Order. The July 20, 2005, Order held that the termination date for the Suspension Order should be extended to the date that is one hundred twenty (120) days following the "Extension Petition Date." In accordance with this finding, the Commission clarifies that **April 5, 2008**, is the date in which the RLECs with no further grant of relief are required to have implemented wireline-wireless local number portability. Should any interested party wish to dispute the calculation of the deadline said interested party should file a motion with the Commission disputing this interpretation on or before February 19, 2008. As to the RLECs who have otherwise preserved their ability to seek an extension of time to implement wireless-wireline number portability, the Commission will consider the requests for supplemental relief in this proceeding.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the implementation date for wireline-wireless number portability be, and it is hereby clarified as provided herein.

MADE AND ENTERED at Lincoln, Nebraska, this 5<sup>th</sup> day of February, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director