

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3873
of Windstream Nebraska Inc.,)
Little Rock, Arkansas, and Charter)
Fiberlink-Nebraska, LLC, St.)
Louis, Missouri, seeking approval) APPROVED
for the adoption of an)
Interconnection Agreement)
previously approved in Docket)
C-3507 pursuant to 47 USC §252(i).) Entered: November 27, 2007

BY THE COMMISSION:

On October 23, 2007, an application was filed by Windstream Nebraska Inc. (Windstream) of Little Rock, Arkansas, and Charter Fiberlink-Nebraska, LLC, (Charter) of St. Louis, Missouri, seeking approval of an Interconnection Agreement pursuant to Section 252(i) of the 1996 Telecommunications Act (the Act). Notice of the application was published in the Daily Record, Omaha, Nebraska, on October 30, 2007. A corrected notice was published in the Daily Record, Omaha, Nebraska on November 15, 2007. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Section 252(i) of the Act allows any telecommunications carrier to adopt a Commission-approved interconnection agreement. Windstream and Charter wish to establish an interconnection agreement and accordingly seek to adopt the agreement entered into by Windstream (Alltel Nebraska, Inc.) and MCImetro Access Transmission Services, LLC. This agreement was approved by the Commission pursuant to Docket C-3507 on January 11, 2006. Due to an error, the Commission first published notice of the agreement as a voluntarily approved agreement. However, further examination of the application revealed that Windstream and Charter intended to adopt the Windstream(Alltel)/MCImetro Access Transmission Services, LLC, agreement approved by the Commission on January 11, 2006. A copy of the executed agreement between Windstream and Charter was filed with the application.

On May 28, 1997, the Commission added language to its mediation/arbitration policy (see Docket C-1128, Progression Order No. 3) which sets forth the procedures to be followed for a Section 252(i) request. Windstream and Charter have sufficiently complied with the procedures required by the Commission's policy.

The Commission finds the agreement does not discriminate against any telecommunications carrier that is not a party to the agreement. Furthermore, the implementation of the agreement 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 agreement filed October 23, 2007, should be approved. Pursuant to the Commission's policy on agreements adopted using the 252(i) mechanism, the agreement between Windstream and Charter shall be considered effective November 13, 2007.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3873 be, and it is hereby, approved and Windstream and Charter are hereby authorized to adopt the Interconnection Agreement between Windstream and MCImetro Access Transmission Services, LLC.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of November, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director