

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. C-4459/PI-185
Public Service Commission, on)
its own motion, to investigate)
and monitor compliance with) GRANTED
federally mandated)
intercarrier compensation)
reform.) Entered: April 17, 2012

BY THE COMMISSION:

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

On November 18, 2011, the Federal Communications Commission (FCC) released a Report and Order and Further Notice of Proposed Rulemaking¹ ("Report and Order") and therein adopted an intercarrier compensation framework for both intrastate and interstate telecommunications traffic which will transition to a bill and keep regime. This Report and Order is being challenged in the 10th Circuit Court of Appeals. However, a decision in that case will not be issued prior to the implementation triggers adopted in that Report and Order.

While the Commission's procedures for filing tariffs is relatively streamlined, the Commission finds it important to open this proceeding to serve as a vehicle to assist with implementation of the transitions mandated by and for monitoring compliance with the Report and Order. The Commission believes that a workshop may be helpful to discuss any issues or questions related to the Report and Order and to discuss any rule changes which may be necessary as a result of the Report and Order.

The Commission hereby schedules a workshop for May 17, 2012, at 10:00 a.m., in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska 68508. A telephone bridge will be made available for the convenience of anyone unable to attend in person. The call-in number will be 888-820-1398 attendee code: 5582059#.

Interested persons are also asked to provide comments to the Commission relative to the following:

¹ See *In the Matter of Establishing Just and Reasonable Rates for Local Exchange Carriers et al.*, WC Docket No. 07-135 et al. Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (rel. Nov. 18, 2011)(Report and Order).

- 1) The manner in which the Commission should review tariff filings made pursuant to the new FCC rules;
- 2) The timeframe for the Commission's review of the tariff changes.
 - i. Should the Commission require the switched access tariff filings made pursuant to the FCC's Report and Order to be filed prior to the normal ten (10) day filing requirement?
 - ii. If so, when should the Commission require tariff amendments to be filed?
 - iii. Should the Commission provide additional notice of the switched access tariff amendments filed? If so, how should the Commission provide notice of these tariff amendments?
- 3) Whether supporting documentation should accompany the tariff changes, and if so, what should be filed;
 - i. If supporting documentation is needed should the documentation required differ based on whether the telecommunications company is an incumbent carrier or competitive carrier? Please explain.
- 4) If the Commission determines that a telecommunications company's tariff changes are not consistent with FCC rules, what process should the Commission use to ensure compliance with new FCC rules?
- 5) Should the Commission use its enforcement tools for any telecommunications company failing to file the required switch access reductions? Should this be enforced by the FCC? Please explain.

Comments responsive to these issues or any other issue germane to this proceeding may be filed on or before May 8, 2012 at 3:00 p.m. central time. Commenters should file one (1) paper copy as well as one (1) electronic copy. The

electronic copy should be sent to
deena.ackerman@nebraska.gov.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned docket be and it is hereby open for public comment. Comments are due on or before May 8, 2012 at 3:00 p.m. central time.

IT IS FURTHER ORDERED that a workshop to discuss intercarrier compensation reform requirements will be held on May 17, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska 68508.

MADE AND ENTERED at Lincoln, Nebraska, this 17th day of April, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

Application No. C-4459/PI-185

Page 3

electronic copy should be sent to
deena.ackerman@nebraska.gov.

O R D E R

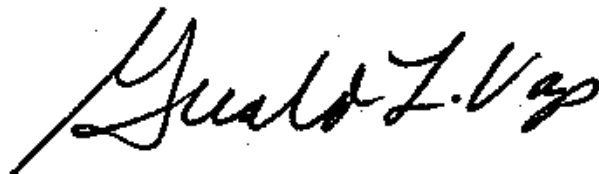
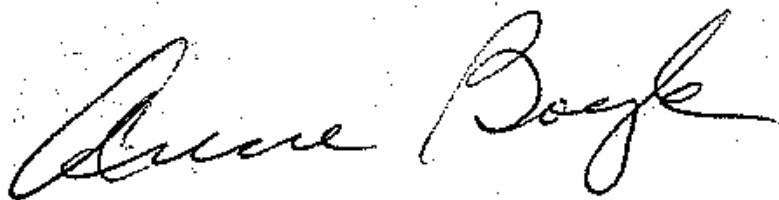
IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned docket be and it is hereby open for public comment. Comments are due on or before May 8, 2012 at 3:00 p.m. central time.

IT IS FURTHER ORDERED that a workshop to discuss intercarrier compensation reform requirements will be held on May 17, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska 68508.

MADE AND ENTERED at Lincoln, Nebraska, this 17th day of April, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

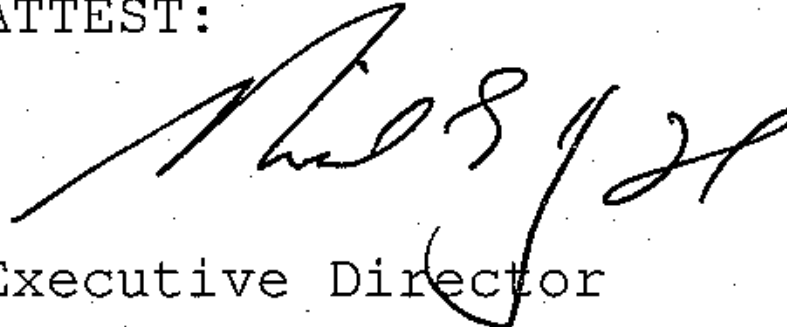


//s// Rod Johnson
//s// Frank Landis

Chairman



ATTEST:



Executive Director