

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. C-4459/PI-185
Public Service Commission, on) Progression Order No. 6
its own motion, to investigate)
and monitor compliance with) ORDER
federally mandated)
intercarrier compensation)
reform.) Entered: April 23, 2013

BY THE COMMISSION:

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

On April 9, 2013 the Commission entered Progression Order No. 5 in the above-captioned proceeding setting the timeframe for revisions to access tariffs filed pursuant the Federal Communications Commission's (FCC's) Report and Order and Further Notice of Proposed Rulemaking¹ ("Report and Order").

In paragraph 801 of the Report and Order all price cap carriers and competitive local exchange carriers that benchmark access rates to price cap carriers were required to reduce intrastate terminating switched end office and transport rates and reciprocal compensation, if above the carrier's interstate access rate, to parity with the interstate access rates effective July 1, 2013. Likewise, all rate-of-return carriers and competitive local exchange carriers that benchmark access rates to rate-of-return carriers must reduce intrastate terminating switched end office and transport rates and reciprocal compensation, if above the carrier's interstate access rate, to parity with interstate access rates. On March 26, 2013, the FCC issued an order changing the effective date from July 1, 2013 to July 2, 2013.²

The Commission enters this order to revise the effective date for access tariffs filed pursuant to the FCC's Report and Order from July 1, 2013 to **July 2, 2013**. The Commission stated in its prior order that it would utilize the normal tariff

¹ See *Connect America Fund et al.*, WC Docket No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 F.C.C.R. 17663, 26 FCC Rcd 17663 (rel. Nov. 18, 2011)(Report and Order) pets. for review pending, *Direct Commc'ns Cedar Valley, LLC v FCC*, No. 11-9581 (10th Cir. filed Dec. 18, 2011) (and consolidated cases).

² See *In the Matter of July 2, 2013 Annual Access Charge Tariff Filings*, WC Docket No. 13-76, Order (rel. March 26, 2013)(March 26, 2013 Access Charge Order).

filing procedure with respect to changes in rate lists for rates other than basic local exchange rates and thus carriers would need to file revised tariffs no later than ten days prior to the proposed effective date. Accordingly, if a carrier needs to revise its access rates to conform with the FCC's Report and Order and the FCC's March 26, 2013 Access Charge Order, revised tariffs must be filed on or before **June 21, 2013** to be considered timely. However, we encourage carriers to voluntarily file their revised access tariffs prior to the June 21, 2013 deadline so that the Commission can review the tariff changes earlier. The Commission asks carriers to file their tariffs on or before May 9, 2013, with an effective date of **July 2, 2013**. The Commission recognizes that some carriers may not be able to file revised tariffs on or before May 9, 2013 due to the deadlines established by the FCC in its March 26, 2013 Access Charge Order and ask that carriers file revised tariffs as soon as practicable but not later than June 21, 2013 in order for the Commission to have adequate time to review the revisions.

With exception to the effective date described herein, tariff revisions should be filed in the manner prescribed by the Commission in Progression Order No. 5.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the revised effective date for access tariff revisions be and it is hereby adopted.

MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of April 2013.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

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With exception to the effective date described herein, tariff revisions should be filed in the manner prescribed by the Commission in Progression Order No. 5.

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NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Tim Schram

Frank E. Landis
Vice Chair

Bob Johnson

Gerald L. Voss

ATTEST:

Kere Meredith

Executive Director

//s//Frank E. Landis