

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Cox Nebraska Telcom, LLC	)	Formal Complaint
and Illuminet	)	No. FC-1296
Complainants,	)	
	)	
v.	)	
	)	
Qwest Communications, Inc.	)	
Respondent.	)	
	)	
ALLTEL Nebraska, Inc., ALLTEL	)	Formal Complaint
Communications of Nebraska, Inc.	)	No. FC-1297
and Illuminet, Inc.,	)	
	)	
Complainants,	)	ORDER ON MANDATE
v.	)	
	)	
Qwest Corporation,	)	
Respondent.	)	Entered: December 1, 2004

BY THE COMMISSION:

By formal complaints filed with the Nebraska Public Service Commission (Commission) by Cox Nebraska Telcom, L.L.C. (Cox); Illuminet, Inc; and Alltel Nebraska, Inc. and Alltel Communications of Nebraska, Inc. (collectively Alltel) alleged Qwest Corporation (Qwest) was acting unlawfully by charging Illuminet for signaling services it obtained from Qwest and provided to Cox and Alltel. By Order dated December 17, 2002, the Commission found in favor of the complainants and granted them the relief requested. After the Commission denied Qwest's indirect appeal, Qwest appealed the Commission's decision to the Nebraska Supreme Court.

On October 8, 2004, the Nebraska Supreme Court dismissed Qwest's appeal for lack of jurisdiction. On November 12, 2004, the Supreme Court issued its mandate directing the Commission to "proceed to enter judgment" consistent with its October 8, 2004 decision. In accordance with the Nebraska Supreme Court's mandate, such Order is hereby entered.

O R D E R

IT IS THEREFORE ORDERED, pursuant to the Nebraska Supreme Court's opinion dismissing Qwest's appeal for lack of jurisdiction, and the Court's mandate issued on November 12, 2004, that the Commission's Order dated December 17, 2002, stands.

MADE AND ENTERED at Lincoln, Nebraska, this 1st day of  
December, 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director