

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska                    ) APPLICATION NO. NUSF-25  
Public Service Commission, on                    )  
its own motion, seeking to                    )  
establish guidelines for the                    ) Progression Order No. 13  
purpose of certifying the use of                )  
federal universal service                        )  
support.    ) Entered: September 21, 2005

BY THE COMMISSION:

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

1. The Commission has established self-certification as its process for verifying whether all federal high-cost support will be used for its intended purpose, pursuant to 47 C.F.R § 54.314 and CC Docket No. 96-45. See Application No. NUSF-25, Progression Order #1 (August 21, 2001). Progression Order #5 in this docket required each rural incumbent local exchange carrier and/or eligible telecommunications carrier to file a notarized copy of an affidavit certifying whether federal high-cost support is being used consistent with section 254(e) of the Telecommunications Act of 1996, on or before September 1 of each year.

2. On October 27, 2003, the Federal Communications Commission (FCC) released its Order on Remand, Further Notice of Proposed Rulemaking, and Memorandum Opinion and Order in CC Docket 96-45, FCC 03-249 (Order on Remand). In that Order, the FCC expanded the state certification process. Each state is required to review its rates in rural, high-cost areas served by non-rural carriers annually to assess the comparability of those rates to urban rates nationwide. States are required to file a certification with the FCC by October 1<sup>st</sup> annually, stating whether its rates are reasonably comparable to nationwide urban rates, or in the alternative, explain why they are not.

3. The Commission finds that the following carriers filed properly completed affidavits regarding the use of federal high cost support:

Allo Communications, LLC  
Alltel Communications  
Arapahoe Telephone Company dba ATC Communications  
Arlington Telephone Company  
Benkelman Telephone Company, Inc.  
Blair Telephone Company

Cambridge Telephone Company  
Citizens Telecommunications Company of Nebraska, Inc.,  
    aka Frontier  
Clarks Telecommunications Company  
Consolidated Telco, Inc.  
Consolidated Telecom, Inc.  
Consolidated Telephone Company  
Cozad Telephone Company  
Curtis Telephone Company, Inc.  
Dalton Telephone Company, Inc.  
Diller Telephone Company  
Eastern Nebraska Telephone Company  
Elsie Communications, Inc.  
Glenwood Telephone Membership Corporation  
Golden West Telecommunications Cooperative, Inc.  
Great Plains Communications, Inc.  
Hamilton Telephone Company  
Hartington Telecommunications Company, Inc.  
Hartman Telephone Exchanges Inc.  
Hemingford Co-operative Telephone Company  
Henderson Cooperative Telephone Company  
Hershey Cooperative Telephone Company  
Hooper Telephone Company dba WestTel Systems  
Huntel Cablevision dba Huntel Communications  
K & M Telephone Company, Inc.  
Keystone-Arthur Telephone Company  
Nebraska Central Telephone Company  
Nebraska Technology and Telecommunications, Inc.  
Northeast Nebraska Telephone Company  
Orbitcom, Inc.  
Pierce Telephone Company, Inc.  
Pinpoint Communications  
Plainview Telephone Company, Inc.  
Qwest Corporation  
Rock County Telephone Company  
Sodtown Telephone Company  
Southeast Nebraska Telephone Company  
Sprint Corporation  
Stanton Telecom, Inc.  
Three River Telco  
Vivian Telephone Company  
Wauneta Telephone Company

4. Accordingly, the Commission will provide certification to the Administrator of the federal high-cost universal service support mechanisms and the Federal Communications Commission

that the above-listed carriers will use federal high-cost support only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended in accordance with section 254(e) of the Telecommunications Act of 1996, as amended.

5. In addition, the Commission finds that the following non-rural carrier(s) charge rural rates which fall below the safe harbor and which are therefore presumably reasonably comparable:

Alltel Communications (Alltel)  
Qwest Communications Corporation (Qwest)

6. Accordingly, the Commission will provide certification to the Federal Communications Commission and Administrator of the federal high-cost universal service support mechanisms that the rates of the above-listed carrier(s) are reasonably comparable.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the affidavits filed by the above-referenced carriers are accepted.

IT IS FURTHER ORDERED that the NUSF Department certify to the Federal Communications Commission that the above-listed non-rural carriers are charging rates reasonably comparable to the nationwide urban rate benchmark as described herein.

MADE AND ENTERED at Lincoln, Nebraska this 21st day of September, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION  
COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director