

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. 15
purpose of certifying the use)
of federal universal service)
support.) Entered: September 19, 2006

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 1st 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 Wireless
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 Cooperative 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
Mobius Communications
Nebraska Central Telephone Company
Nebraska Technology and Telecommunications, Inc.
NE Colorado Cellular d/b/a Viaero Wireless
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
Stanton Telecom, Inc.
Three River Telco
Three River Communications
United Telephone Company of the West d/b/a Embarq

Vivian Telephone Company
Wauneta Telephone Company
Windstream Communications f/k/a Alltel
Communications

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:

Windstream Communications (f/k/a 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 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.

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MADE AND ENTERED at Lincoln, Nebraska this 19th day of
September, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director