

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. NUSF-33
Public Service Commission, on)
its own motion, seeking to)
investigate the audit) AUDIT WAIVER ORDER
requirements related to the)
Nebraska Universal Service Fund.)
) Entered: November 20, 2007

BY THE COMMISSION:

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

The Nebraska Public Service Commission (Commission) opened this docket on its own motion November 26, 2002, seeking to establish remittance audit requirements related to the Nebraska Universal Service Fund (NUSF). The Commission established an audit policy in its Universal Service Fund Rules and Regulations, Neb. Admin. Code, Title 291, Ch. 10, effective September 16, 2002 and has been operating under that policy.

On April 10, 2007, the Commission entered an Order adopting remittance policies and establishing a waiver mechanism for certain qualifying carriers. This Order addresses the waiver requests filed for the 2006 audit period.

The Commission finds the following list of carriers have met all criteria designated by the Commission in its April 10, 2007 Order and accordingly should be granted a waiver for the 2006 audit period:

ACN Communications Services
ASC Telecom, Inc.
Coast International, Inc.
Continental Paging Co.
DSL net Communications, LLC
Enhanced Communications Network
HTC Communications dba Westel System
International Telcom Ltd
KeyArt Comm, Inc.
Midwest Communications
National Directory Assistance
Network US dba CA Affinity
NYECOM Teleservices, Inc.
Transworld Network Corp.
US LEC Communications Inc.
Voicecom Telecommunications, LLC

In addition, the Commission notes that ACN Communications Services filed its audit waiver request after the October 1st deadline along with a request to the Commission to accept its late-filed waiver request. The Commission finds ACN's audit waiver request should be accepted even though it was filed after the deadline.

The Commission finds that Entrix Telecom, Inc. and USA Digital Communications, Inc. have not met the criteria designated by the Commission in its April 10, 2007 Order because these companies have been assessed and paid late fees for late-filed worksheets in 2005 and/or 2006. Therefore, these carriers are required to file audits for the 2006 audit period.

In addition, Pierce Telephone Company d/b/a Nebraska Long Distance has not met the criteria designated by the Commission in its April 10, 2007 Order because it exceeded the \$100,000 threshold for assessable revenue in 2006. Accordingly, Pierce must file an audit for the 2006 audit period.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above findings be and they are hereby adopted as it relates to waiver requests for the 2006 audit period.

MADE AND ENTERED at Lincoln, Nebraska this 20th day of November, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director