

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. NUSF-33/
Public Service Commission, on) PI-68
its own motion, seeking to)
investigate the audit) AUDIT WAIVER ORDER
requirements related to the)
Nebraska Universal Service Fund.)
) Entered: February 1, 2011

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. On September 30, 2008, the Commission entered an Order modifying and clarifying the remittance policy and waiver mechanism.

This Order addresses the waiver request filed by **International Telcom, Ltd.**, for the NUSF Remittance audit due on December 31, 2010. Due to an administrative oversight, the Nebraska Telecommunications and Public Safety Department ("Department") which oversees the NUSF did not contact **International Telcom, Ltd.**, to inform the company that an audit was due and that it could be eligible for a waiver if filed. The Department recognized this error and contacted the company to obtain the audit or, in the alternative, a waiver request. The company filed a waiver request on January 26, 2011 and the Department determined that the company met the Commission's criteria for a waiver. The Department therefore recommended to the Commission that a waiver be granted. Based upon the particular circumstances presented in this case, the Commission finds that the late-filed waiver request received by **International Telcom, Ltd.**, on January 26, 2011, should be accepted.

Upon consideration of the waiver request filed herein and being fully advised in the premises, the Commission finds the

waiver request filed by **International Telcom, Ltd.**, for the audit due on December 31, 2010, should be granted.

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 the waiver request filed herein.

MADE AND ENTERED at Lincoln, Nebraska, this 1st day of February, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director