

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: September 28, 2010

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 requests filed for the NUSF Remittance audits due on December 31, 2010. The Commission finds that the late-filed waiver requests received by Applied Communications, CenCom, Inc., McGraw Communications, MegaPath, Inc. f/k/a Netifice Communications, Inc., Midwest Communications, Verizon Long Distance, and WDT World Discount Tele Company should be accepted.

Upon consideration of the waiver requests filed herein and being fully advised in the premises, the Commission finds the following companies have met the waiver criteria; and accordingly, a waiver for the audit due on December 31, 2010 should be granted:

Applied Communications (ATCLD)
Access2Go, Inc.
ACN Communication Services, Inc.
Aero Communications, LLC
BCN Telecom, Inc.
Broadview Networks, Inc.

CenCom, Inc.
CIMCO Communications, Inc.
Coast International, Inc.
Easton Telecom Services, LLC
Enhanced Communications Network, Inc.
GoSolo Technologies, Inc.
Horizon Telecom, Inc.
HTC Communications, LLC
Intellicall Operator Services, Inc.
KeyArt Comm., Inc.
Long Distance of Michigan, Inc.
McGraw Communications
MegaPath, Inc. (fka Netifice
Communications, Inc.)
Midwest Communications
Mitel NetSolutions, Inc.
National Directory Assistance, LLC
NYECOM Teleservices, Inc.
OneLink Communications
Opex Communications, Inc.
Silv Communications
ST Messaging Services
Talk America, Inc.
US LEC Communications
Verizon Long Dist.
Voicecom Telecommunications
Voitel Telecommunications
WDT World Discount Tele Company

The Commission finds the following company did not meet the waiver criteria; and accordingly, a waiver for the audit due on December 31, 2010 should be denied:

KDDI America, Inc.

Accordingly, KDDI America, Inc. shall file a remittance audit with the Commission on or before December 31, 2010.

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 requests filed herein.

IT IS FURTHER ORDERED that KDDI America, Inc. shall file a remittance audit with the Commission on or before December 31, 2010.

MADE AND ENTERED at Lincoln, Nebraska this 28th day of September, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director