

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Application No. NUSF-35/PI-69
Public Service Commission seeking)	
to determine Nebraska Eligible)	
Telecommunications Carrier status)	PROGRESSION ORDER NO. 1
for the purposes of receiving)	
state universal service support)	
for providing Lifeline/Link-up)	
services and Telehealth services)	
to rural hospitals.)	Entered: March 29, 2006

BY THE COMMISSION:

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

1. The Nebraska Public Service Commission (Commission) opened this proceeding on January 28, 2003 to determine Nebraska Eligible Telecommunications Carrier (NETC) status for carriers providing Lifeline/Link-up services and for carriers providing Telehealth services to rural hospitals. The Commission also sought comments on whether it should require all local exchange carriers (LECs) to provide Lifeline and Link-up services. Notice of the application was published in The Daily Record, Omaha, Nebraska, on January 31, 2003.

2. On April 29, 2003, the Commission entered findings and conclusions relative to the issues raised in the Commission's January 28, 2003 Order. The Commission found all certificated carriers were Nebraska eligible telecommunications carriers (NETCs) for the purpose of receiving support for the Telehealth Program. The Commission sought comment on a proposal to require all certificated carriers to offer Lifeline/Link-Up discounts and participate in the state Lifeline/Link-Up program. Some commenting carriers thought it would be burdensome to require them to become ETCs for the purpose of offering Lifeline/Link-Up services to their subscribers and opposed the Commission's proposal. The Commission considered the comments filed by these carriers and declined to adopt this proposal. In addition, the Commission declined to link NETC designation to the federal ETC designation. Carriers seeking NETC designation for the purpose of receiving NUSF support must make application for that designation with the NUSF Department.

3. Prior to the Commission entering the April 29, 2003 findings in NUSF-35, the Commission granted ETC designations to all incumbent LECs (ILECs) and to a number of competitive local exchange carriers including Cox Nebraska Telcom, Inc. (Cox) and Aliant Communications (Aliant) now known as Alltel. As it pertains to Cox and Aliant, these carriers have federal ETC status, but have not specifically applied to be designated as NETCs. They have been receiving NUSF support solely for the purpose of offering Nebraska Telephone Assistance Program (NTAP) support, formally known as

Lifeline support, for qualifying subscribers. They do not receive any high-cost support.

4. The Commission has also recently designated N.E. Colorado Cellular d/b/a Viaero Wireless, Alltel Communications (Wireless) and Budget Phone as federal ETCs but not as NETCs.

5. The Commission enters this progression order to determine whether to designate these carriers as NETCs for the purpose of receiving NTAP support and to determine whether all federal ETCs should automatically be designated as an NETC solely for the purpose of receiving NTAP support.

6. The Commission seeks comments on the propriety of designating all carriers to whom it granted federal ETC status as NETCs solely for the purpose of receiving NTAP support for qualifying customers. Comments responsive to this investigation should be filed no later than May 29, 2006. Commenters should file five (5) paper copies and one (1) electronic copy of their comments.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the issues outlined above are hereby open for public comment.

IT IS FURTHER ORDERED that comments responsive to this investigation shall be filed on or before May 29, 2006 as prescribed herein.

MADE AND ENTERED at Lincoln, Nebraska, this 29th day of March, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director