

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of In the Matter) Application No. NUSF-4
of the Commission, on its own)
motion, seeking to determine the)
level of the fund necessary to) ORDER SETTING SURCHARGE
carry out the Nebraska) FROM JULY 1, 2007 THROUGH
Telecommunications Universal) JUNE 30, 2008
Service Fund Act effective)
fiscal year beginning July 1,) Entered: June 26, 2007
1999.

BY THE COMMISSION:

This docket was opened on April 15, 1999, on the Commission's own motion, to determine the level of the fund necessary to carry out the Nebraska Telecommunication Universal Service Fund Act. Neb. Rev. Stat. § 86-328 (2006 Cum. Supp.) states, in pertinent part, that "Annually, the Commission shall hold a public hearing to determine the level of the fund necessary to carry out the Nebraska Universal Service Fund Act." Notice of this hearing appeared in The Daily Record, Omaha, Nebraska, the Lincoln Journal Star, Lincoln, Nebraska, and the Omaha World Herald, Omaha, Nebraska on both May 22, 2007 and May 29, 2007 pursuant to § 86-328. A public hearing on this matter was held in the Commission Hearing Room, Lincoln, Nebraska, on June 5, 2007.

F I N D I N G S A N D C O N C L U S I O N S

Mr. Jeffrey Pursley, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department which administers the Nebraska Universal Service Fund (NUSF), recommended that the surcharge remain at 6.95 percent. The NUSF Advisory Board also recommended that the surcharge remain at the present level of 6.95 percent.

No other person offered testimony either in support of or opposition to retaining the level of the surcharge at 6.95 percent.

Upon review of the testimony given, the Commission is of the opinion that the recommendation of Mr. Pursley should be accepted. Maintaining the surcharge level at 6.95 percent will keep the NUSF specific, sufficient, and predictable pursuant to Neb. Rev. Stat. § 86-323. Accordingly, the NUSF surcharge should continue to be set at 6.95 percent for the fiscal year of operations beginning July 1, 2007, and extending through June 30, 2008.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that a 6.95 percent surcharge shall fund the Nebraska Universal Service Fund from July 1, 2007 to June 30, 2008.

IT IS FINALLY ORDERED that all affected telecommunications companies are hereby required to collect said surcharge and remit it to the Commission as set forth herein and in Commission Universal Service Rules and Regulations and Commission orders.

MADE AND ENTERED at Lincoln, Nebraska, this 26th day of June, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director