

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, on) RULE AND REGULATION NO. 178
its own motion, seeking to amend)
Title 291, Chapter 5, Telecommuni-)
cations Rules and Regulations, to) ORDER CLOSING DOCKET
adopt rules regarding intrastate)
switched access regulation.) ENTERED: January 22, 2014
)

BY THE COMMISSION:

The Nebraska Public Service Commission ("Commission"), on its own motion, opened the above-captioned proceeding to amend Title 291, Chapter 5, Telecommunications Rules and Regulations, to adopt rules regarding intrastate switched access regulation. Pursuant to the Nebraska Telecommunications Regulation Act, *Neb. Rev. Stat.* § 86-101 et. seq., the Commission is given the authority to promulgate rules and regulations for purposes of administering the Act.

The Commission released a first set of proposed rules and requested comments from interested parties. Based upon the comments received, revisions to the proposed rules were made and a second set of proposed rules and regulations were released for comment.

In November of 2011, the Federal Communications Commission "FCC") released an order that significantly modified intercarrier compensation systems, essentially phasing out switched access rates.¹ Subsequently numerous legal challenges were filed in Federal court of the FCC CAF Order.

To allow time to determine the impact of the FCC CAF Order and any appellate decisions issued regarding the CAF Order, further action in the above-captioned rulemaking proceeding was postponed. Legal challenges to the CAF Order are still pending.

Due to the amount of time since the rulemaking was initiated, the Commission finds that this docket should be closed. Once a final determination is made at the federal level regarding access rate regulation, the Commission shall evaluate initiating a new rulemaking proceeding at that time.

¹Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform - Mobility Fund, 76 Fed. Reg. 73830 (2011)("CAF Order").

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that this docket be, and is therefore, closed.

MADE AND ENTERED in Lincoln, Nebraska, on this 22nd day of January 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

Executive Director

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that this docket be, and is therefore, closed.

MADE AND ENTERED in Lincoln, Nebraska, on this 22nd day of January 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Kenn Boyfe

Tim Schram

Dee Johnson

Gerald L. Day

//s//Frank E. Landis

Frank E. Landis
Chairman

Steve Meredith
Executive Director