

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3225
of Qwest Corporation, Denver,)
Colorado, seeking approval of)
its Unbundled Dark Fiber (UDF))
Amendment with NexGen Integrated)
Communications, L.C., f/k/a) GRANTED
NewPath Holdings, Inc.,)
Urbandale, Iowa, previously)
granted in Application No. C-)
2305.)
) Entered: July 20, 2004

BY THE COMMISSION:

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

On June 14, 2004, Qwest Corporation (Qwest) of Denver, Colorado, filed an application seeking approval of its Unbundled Dark Fiber (UDF) Amendment with NexGen Integrated Communications, L.C., f/k/a NewPath Holdings, Inc., (NexGen) Urbandale, Iowa, previously granted in Application No. C-2305. Notice of the application was published in The Daily Record, Omaha, Nebraska, on June 17, 2004. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

On June 6, 2000, this Commission, pursuant to Application No. C-2305, approved the original interconnection agreement between Qwest and NexGen. Subsequent to the original filing, the Commission approved amendments to the agreement with Application Nos. C-2437, C-2511, C-2929, and C-2930. An executed copy of the current amendment is contained within the application.

The amendment does not discriminate against any telecommunications carrier. Furthermore, the implementation of the amendment is consistent with the public interest, convenience and necessity.

Section 252(e) of the Telecommunications Act of 1996 (Act) requires this Commission to review negotiated interconnection agreements to ensure they comply with Sections 251 and 252(d) of the Act, as well as all applicable state laws. Using those standards, the amendment filed June 14, 2004, should be approved.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Unbundled Dark Fiber (UDF) Amendment to the interconnection agreement between Qwest Corporation and NexGen Integrated Communications, be, and it is hereby, approved.

IT IS FURTHER ORDERED that the executed amendment filed herein be, and it is hereby, made the official copy on file with the Nebraska Public Service Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 20th day of July 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. Vap
Ann C. Boyle
Frank E. Landis

Chairman

Gerald L. Vap

ATTEST:

Frank E. Landis
Executive Director

/s/ Gerald L. Vap
/s/ Frank E. Landis