

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-3371  
of Qwest Corporation of Denver, )  
Colorado, Filing Under Protest )  
of the Commercial Agreement with ) GRANTED  
Lightyear Network Solutions, )  
LLC, of Louisville, Kentucky, )  
for provision of Qwest Platform )  
Plus Services. ) Entered: April 19, 2005

BY THE COMMISSION:

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

On February 24, 2005, an application was filed by Qwest Corporation (Qwest) of Denver, Colorado, with Lightyear Network Solutions, LLC, (Lightyear) of Louisville, Kentucky, filing under protest of the Commercial Agreement and for provision of Qwest Platform Plus Services (QPP). Notice of the application was published in The Daily Record, Omaha, Nebraska, on March 14, 2005. No protests were filed therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Qwest's filing of the Commercial QPP Agreement under protest is the result of the order entered by the Commission on January 4, 2005 in Application No. C-3255. Qwest objects to the Commission's conclusion that Commercial QPP agreements fall within the Commission's jurisdiction, however, reserving its rights, Qwest filed the agreements with the Commission.

The agreement does not discriminate against any telecommunications carrier that is not a party to the agreement. Furthermore, the implementation of the agreement is consistent with the public interest, convenience and necessity.

Section 252(e) of the 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 agreement filed should be approved.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the agreement filed by Qwest in the above-captioned matter shall be and it is hereby approved.

IT IS FURTHER ORDERED that the executed agreement shall be the official copy of the agreement filed with the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 19th day of April, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Anne C. Boyle*

Chairman

*Gerald L. Vap*

*Paul Johnson*

ATTEST:

*And J. Pollock*

//s// Frank E. Landis

//s// Gerald L. Vap

Executive Director