

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-3608  
of Qwest Corporation, Denver, )  
Colorado, seeking an Omaha )  
Forbearance Order amendment to ) APPROVED  
an interconnection agreement )  
with FiberComm, LLC, Sioux City, )  
Iowa, previously approved in )  
C-2610. )  
) Entered: July 18, 2006

BY THE COMMISSION:

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

On May 22, 2006, an application was filed by Qwest Corporation (Qwest), of Denver, Colorado, seeking approval of an amendment to the interconnection agreement with FiberComm, LLC (FiberComm), of Sioux City, Iowa, which was previously approved by the Commission in Application No. C-2610. Notice of the application was published in The Daily Record, Omaha, Nebraska, on June 7, 2006. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Pursuant to Section 252(a) Qwest and FiberComm entered into an interconnection agreement through voluntary negotiations, which was approved by the Commission in Application No. C-2610. In the current application, Qwest and FiberComm seek to amend the original agreement by modifying terms in accordance with the Federal Communications Commission's (FCC's) *Memorandum Opinion and Order on the Petition of Qwest Corporation for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Omaha Metropolitan Statistical Area*, FCC 05-170, WC Docket No. 04-223 (effective September 16, 2005) (OFO). An executed copy of the amendment is contained within the application.

The amendment does not discriminate against any telecommunications carrier that is not a party to the agreement. Furthermore, the implementation of the amendment 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 amendment filed May 22, 2006, should be approved.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the amendment to the interconnection agreement between Qwest Corporation and FiberComm LLC, 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 18th day of July, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s// Anne C. Boyle

//s// Lowell C. Johnson

//s// Rod Johnson

//s// Frank E. Landis



Chairman

ATTEST:



Executive Director