

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. C-4004
Application of United)
Telephone Company of the West)
d/b/a Embarq, Overland Park,)
Kansas, seeking approval of a) APPROVED
Resale Agreement with DSLnet)
Communications, LLC,)
Wallingford, Connecticut.) Entered: March 3, 2009

BY THE COMMISSION:

By application filed January 7, 2009, United Telephone Company of the West d/b/a Embarq (Embarq), Overland Park, Kansas, seeks approval of a Resale Agreement with DSLnet Communications, LLC (DSLnet), Wallingford, Connecticut. Notice of the application was published in The Daily Record, Omaha, Nebraska, on January 13, 2009. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Pursuant to Section 252(a) of the Telecommunications Act of 1996 (the Act), Embarq and DSLnet entered into a Resale Agreement arrived at through voluntary negotiations. An executed copy of this agreement is contained within the application.

Neither the agreement nor any portion thereof discriminates against any telecommunications carrier. 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 resale agreements adopted by negotiation or arbitration to ensure they comply with Sections 251 and 252(d) of the Act, as well as all applicable state laws. Using those standards, the resale agreement should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Resale Agreement between United Telephone Company of the West d/b/a Embarq and DSLnet Communications, LLC, be, and it is hereby, approved.

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

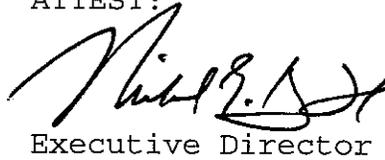
MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of March, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chairman

ATTEST:


Executive Director

//s// Frank E. Landis