

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. C-4138
Application of Charter)
Fiberlink-Nebraska, LLC, St.)
Louis, Missouri, seeking)
approval of an Extended Area) APPROVED
Service Agreement with)
Arapahoe Telephone Company)
d/b/a ATC Communications,)
Arapahoe.) Entered: March 10, 2009

BY THE COMMISSION:

By application filed January 20, 2009, Charter Fiberlink-Nebraska, LLC (Charter) of St. Louis, Missouri, seeks approval of an Extended Area Service Agreement with Arapahoe Telephone Company d/b/a ATC Communications, (ATC) Arapahoe. Notice of the application was published in The Daily Record, Omaha, Nebraska, on January 22, 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), Charter and ATC (parties) entered into an extended area service agreement arrived at through voluntary negotiations. An executed copy of this agreement is contained within the application.

No portion of the agreement 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 extended area service 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 extended service area agreement should be approved.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Extended Service Area Agreement between Charter Fiberlink-Nebraska, LLC, St. Louis, Missouri, and Arapahoe Telephone Company d/b/a ATC Communications, Arapahoe, be, and it is hereby, approved.

IT IS FURTHER ORDERED that the executed extended service area 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 10th day of March, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald W. Wap

Alan Sunde
Chairman

Paul J. ...

Anna C. ...

Tim ...

ATTEST:

Christine ...

Executive Director

//s// Frank E. Landis