

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Qwest ) Application No. C-2773  
Communications Corporation of )  
Denver, Colorado, seeking )  
authority to operate as an ) GRANTED  
interexchange carrier of )  
telecommunications services )  
within the state of Nebraska. ) Entered: September 11, 2002

BY THE COMMISSION:

By application filed August 2, 2002, Qwest Communications Corporation (QCC) of Denver, Colorado, seeks authority to operate as an interexchange carrier of telecommunications services within the state of Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on August 6, 2002. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

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

QCC is a Delaware Corporation with its headquarters in Denver, Colorado. QCC has been authorized by the Secretary of State to conduct business in the state of Nebraska as a foreign corporation.

Applicant is a facilities-based interexchange carrier that provides intrastate telecommunications service (message and toll) both intraLATA and interLATA, operator services, directory assistance and private line services to businesses and residences. Applicant proposes to offer these services in the state of Nebraska once the FCC approves of its 271 application. All network services are supplied by applicant and all network facilities are the property of the applicant.

Applicant's proposed services include intrastate telecommunications service (message and toll) both intraLATA and interLATA, Dedicated Access Services suitable for voice and data applications, 1-800 services, Calling Cards, Prepaid Calling Cards, Dedicated Private Line, Directory Assistance and Operator Services. Applicant proposes to provide its services throughout the entire state of Nebraska.

While the Commission notes that QCC appears to already have acquired the authority to operate as an interexchange carrier of telecommunication services in the state of Nebraska pursuant to Application No. C-2536, the Commission will utilize this opportunity to clarify QCC's interLATA authority in the state of Nebraska. Once Qwest receives Federal Communications Commission approval of its 271 application, QCC shall be authorized to provide both interLATA and intraLATA interexchange service in the state of Nebraska.

Interexchange applications are subject to Commission jurisdiction under Neb. Rev. Stat. §§ 75-604 and 86-805 and Title 291 of the Commission's Rules and Regulations, Chapter 5, Rule 003.12. From examination of the application filed herein, the Commission finds QCC has provided all the information required by the Commission, possesses adequate financial resources to provide the proposed service, and possesses adequate technical competency to provide the proposed service. The application should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2773 be, and it is hereby, granted and QCC is authorized to operate as an interexchange carrier of telecommunications services within the state of Nebraska as set forth above.

IT IS FURTHER ORDERED that the applicant shall file, in accordance with the applicable statutes on or before April 30th of each year, an annual report with this Commission consisting of: (a) a copy of any report filed with the Federal Communications Commission; (b) a copy of any annual report to stockholders; and (c) a copy of the latest Form 10-K filed with the Securities and Exchange Commission. If these are not available, applicant shall submit a balance sheet and income statement for the previous year of operation, as well as the investment made in telephone plant and equipment located within the state, accumulated depreciation thereon, operating revenues and expenses, and taxes.

IT IS FURTHER ORDERED that, to the extent applicable, the applicant shall comply with all laws pertaining to, and all rules and regulations promulgated under, the Telecommunications Relay System Act (Neb. Rev. Stat. §§ 86-1302 to 86-1307) and the Nebraska Telecommunications Universal Service Fund Act (Neb. Rev. Stat. §§ 86-1402 to 86-1410).

IT IS FURTHER ORDERED that applicant file its current tariff prior to offering service pursuant to the certificate granted in this order.

IT IS FINALLY ORDERED that this order be, and it is hereby made, the Commission's official certificate of authority to furnish the service authorized herein as a common carrier.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of September, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director