

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Qwest Communi-) Application No. C-1830
cations, Denver, Colorado,)
filing its notice of intention)
to file Section 271(c)) MOTION TO REOPEN AND
application with the FCC and) SUPPLEMENT THE RECORD
request for Commission to verify) DENIED
Qwest Communications compliance)
with Section 271(c).) Entered: October 8, 2002

BY THE COMMISSION:

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

On September 19, 2002, AT&T Communications of the Midwest, Inc. and AT&T Local Services, on behalf of TCG Omaha (collectively AT&T), filed a motion to reopen proceedings in the above-referenced docket. In said motion, AT&T seeks an order from this Commission to reopen the C-1830 proceeding in order to allow admission of additional evidence relating to Qwest Corporation's (formally known as US West) compliance with Section 272 of the Telecommunications Act of 1996.

While the Commission acknowledges that Qwest has created a new Section 272 affiliate since obtaining our initial 271 recommendation, the Commission understands that it is the FCC who will ultimately determine the validity of AT&T's complaints and their effect, if any, on Qwest's FCC most recent application for interLATA authority.

The appropriate venue for the Nebraska Commission to conduct its review of Qwest's new Section 272 affiliate is within Qwest LD Corporation's application to provide intrastate interexchange services in the state of Nebraska (Application No. C-2820).

Thus, having considered the motion as presented, the Commission is of the opinion and finds that AT&T's motion to reopen the C-1830 proceedings should be denied.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that AT&T's motion to reopen the C-1830 proceeding should be, and is hereby, denied.

MADE AND ENTERED at Lincoln, Nebraska, this 8th day of October, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director