

Proposed Contract Carrier Rules - Rough Draft #1
October 26, 1999
Application C-2044
R/R #146

001 General

001.01 Definitions

001.01CC Permit is a permit to provide telecommunications services as a contract carrier.

001.01EE Telecommunications common carrier is a provider of telecommunications services for hire which offers its services to the general public at large in Nebraska intrastate commerce.

001.01FF Telecommunications contract carrier is a provider of telecommunications services for hire, other than as a common carrier, in Nebraska intrastate commerce.

(Renumber sections accordingly)

001.02 Certification and Permit Requirements

Before an entity may offer any telecommunications service in Nebraska it must first obtain a Certificate or a Permit from the Commission. The fact that an entity offers or proposes to offer an individual unbundled network element or elements to an authorized carrier does not necessarily make that entity a telecommunications provider subject to the Commission's certification or permit requirements. In such instances, the Commission will determine whether an entity is offering telecommunications service on a case by case basis. However, entities which procure or otherwise obtain unbundled network elements and utilize such elements for the transmission of telecommunications services are carriers subject to the Commission's jurisdiction.

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002.49 ~~Certification of Authority to Operate as a~~
Competitive Local Exchange Carriers (CLEC)

002.49A Certificate of Authority or Permit Required:

Except as provided by Neb. Rev. Stat. §86-805 (Reissue 1994) or other applicable statutes, no person, firm, partnership, limited liability company, joint venture, corporation, cooperative, political subdivision, or association (such entities are hereinafter referred to as applicant) shall offer any telecommunications service

as defined by the Telecommunications Act of 1996, 47 U.S.C. sec. 151 et. seq. (the Act) or shall construct new telecommunications facilities in this state outside of the applicant's certificated service area (as defined below) for the purpose of providing any telecommunications service as either a telecommunications common carrier or telecommunications contract carrier without first making an application for and receiving from the Commission a certificate of convenience and necessity as a telecommunications common carrier or a permit as a telecommunications contract carrier, after due notice and hearing under the rules and regulations of the Commission.

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003 Interexchange Service

003.01 General. An interexchange carrier shall have the authority through its certificate of convenience and necessity, or its permit, to provide interexchange telecommunications service subject to the provisions of this section.

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003.12 Inter-LATA Interexchange Telecommunications Services

003.12A Applications. Applications for a certificate or permit authorizing any telecommunications company to offer and provide inter-LATA interexchange telecommunications services ~~filed pursuant to Section 86-805, Cum. Supp. 1986~~, shall: (a) be submitted in writing; (b) be subscribed under oath by a duly authorized official of the applicant who possesses full power and authority to make binding representations on applicant's behalf; (c) be accompanied by the filing fee established pursuant to Rule of Commission procedure 025; and (d) include, to the extent pertinent to applicant's form of organization, the following information:

(See existing rules)

* * *

The following is all new language:

005 Contract Carriers

005.01 Before any entity may offer telecommunications services as a contract carrier, such carrier must first obtain a permit to provide such services from the Commission pursuant to the rules set forth herein.

005.02 The following subsections of the preceding section in this chapter shall apply to contact carriers seeking to provide local telecommunications services:

- 2.01 General
 - 2.02 Adequacy of service
 - 2.03 Interruption of Service
 - 2.04 Trouble Reports
 - 2.05 Emergency Operations and Power
 - 2.07 Intercept
 - 2.08 Maintenance Program
 - 2.09 Operator Rules
 - 2.10 Tests
 - 2.11 Answering Time Objectives
 - 2.12 Dial Service Objectives
 - 2.13 Loop Transmission Objectives
 - 2.16 Refusal of Service and Disconnection
 - 2.22 Directories
 - 2.23 Records
 - 2.24 Accounting
 - 2.26 Transfer of Ownership of Exchange Carriers or their Properties
 - 2.28 Short Term Debt
 - 2.44 Service
 - 2.49 Certification of Competitive Local Exchange Carrier (CLEC)
- (not to include subsections 2.49D1 through 2.49D3)

005.03 The following subsections of the preceding section in this chapter shall apply to contact carriers seeking to provide interexchange telecommunications services:

- 3.01 General
- 3.02 Trouble Reports

3.03 Information

3.04 Tests

3.05 Trunk and Access Circuit Service Objectives

3.06 Transmission Requirements

3.07 Minimum Transmission Objectives

3.09 Accounting

3.12 Inter-LATA Interexchange Telecommunications Services (not to include subsections 3.12E & 3.12F)

3.16 Operator Service

005.04 In addition to the requirements identified in Sections 005.02 and 005.03 above, all contract carriers must comply with all universal service, lifeline, 911 and E911, and telecommunications relay service requirements as directed by the Commission.

005.05 An entity wishing to provide services as a contract carrier must obtain a separate permit for each contract it enters into.

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