

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the matter of the Commission on) Application No. C-2408/PI-42
its own motion, to conduct an)
investigation of interim policies)
and requirements regarding con-) ORDER CLOSING DOCKET
tract carriers and applications by)
political subdivisions with re-)
spect to fiber optics.) Entered: December 4, 2001

BY THE COMMISSION:

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

On October 18, 2000, the Nebraska Public Service Commission (Commission) opened the above-captioned docket to conduct an investigation of interim policies and requirements for contract carriers and of applications by political subdivisions with respect to fiber optics. In this proceeding, the Commission released a series of questions, solicited and then reviewed initial and reply comments from interested parties.

The commenters included the following: AT&T Communications of the Midwest, Inc. and AT&T Local Services on behalf of TCG Omaha; Sprint; the Nebraska Cable Communications Association; Cox Nebraska Telecom, L.L.C.; the Nebraska Independent Telephone Association; UtiliCorp Communications Services, Inc.; Lincoln Electric System; the League of Nebraska Municipalities; the City of Norfolk; the Nebraska Public Power District; Community Internet Systems, Inc.; Qwest Corporation; and the Nebraska Telecommunications Association.

During the pendency of this investigation, the Nebraska Legislature introduced and passed legislation effectively resolving the issues posed in this proceeding. On May 25, 2001, LB 827 [2001] went into effect upon the Governor's signature. The Commission subsequently opened Rule and Regulation No. 152. In the order opening Rule and Regulation No. 152, the Commission posed a series of questions for comment and released proposed rule amendments. Recently, the Commission also issued an order adopting the proposed rule amendments with respect to contract carrier rules. The Commission finds that the issues which prompted this investigation are being addressed in Rule and Regulation Nos. 146 and 152. Accordingly, this docket should be closed.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned investigatory docket shall be, and it is hereby, closed.

MADE AND ENTERED at Lincoln, Nebraska this 4th day of December, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

David L. Vay
Frank E. Landis
Ann C. Boyle

Frank E. Landis
Chairman

ATTEST.

John Survan

Frank E. Landis
//s//Frank E. Landis Acting Executive Director