

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, ) Application No. C-2738/PI-58  
on its own motion, seeking to )  
investigate telecommunications ) MOTION GRANTED IN PART  
companies' terms, conditions and )  
rates for the provision of )  
wireless termination service. ) Entered: March 25, 2003

BY THE COMMISSION:

On June 5, 2002, the Commission opened this docket to investigate the terms, conditions and rates in wireless termination tariffs filed by Great Plains Communications, Inc. and the Nebraska Independent Telephone Association (NITA) on behalf of 18 NITA member companies in Application Nos. C-2726 and C-2728, respectively. The proposed tariffs filed by these companies (Applicants) provide for terms, conditions and rates for termination in applicants' exchanges of traffic originating from Commercial Mobile Radio Service (CMRS) providers' end-users and transiting through a third party tandem provider.

On January 22, 2003, the Commission found that the proposed tariffs were not fair, just and reasonable when applied to intrastate IntraMTA traffic. As such, the Commission directed the Applicants and the CMRS providers to commence formal joint negotiations within 60 days from the date of this order to address the appropriate compensation arrangements.

On March 21, 2003, the NITA filed a Motion for Time Enlargement and Clarification with the Commission in regards to the Commission's January 22, 2003 order. Said Motion requested a 30-day extension of time to commence negotiations and requested clarification from the Commission regarding the procedures that the Commission intended to apply to the joint negotiations and the options available to Rural ILECs that choose not to initiate negotiations within the timeframe set forth by the Commission.

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

In consideration of the Motion, the Commission is of the opinion and finds that it should be granted in part. At this time, the Commission hereby grants the parties an additional thirty days to commence negotiations. The new deadline for commencing negotiations will now be April 23, 2003.

In regards to the requests for clarification, the Commission will take such requests under advisement and will issue a subsequent order as time permits.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the motion for a 30-day extension to commence negotiations is hereby granted.

IT IS FURTHER ORDERED that the Commission will take the requests for clarification under advisement and will issue a subsequent order as time permits.

MADE AND ENTERED at Lincoln, Nebraska, this 25th day of March, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director