

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) Application No. C-2811/PI-64
Nebraska Technology & Telecom-)
munications, Inc., requesting an)
investigation and remedy of Qwest) DISMISSED WITHOUT PREJUDICE
Corporation's rezoning of certain)
Nebraska exchanges from Zone 2 to)
Zone 3.) Entered: May 26, 2004

BY THE COMMISSION:

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

By petition filed September 16, 2002, Nebraska Technology & Telecommunications, Inc. (NT&T or applicant) requested the Commission to open an investigation on the moving of certain Qwest exchanges from Zone 2 to Zone 3. In October of 2002, the applicant asked the Commission to hold this proceeding in abeyance to a date later to be determined. In May of 2004, the Commission staff contacted counsel for the applicant to determine whether or not the Commission could move forward on this petition. Commission counsel was informed that applicant would assess its need for Commission intervention at a later date.¹

Accordingly, upon consideration of this request and being fully informed in the premises, the Commission finds that this application should be dismissed without prejudice.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the application filed in the above-captioned matter be, and it is hereby, dismissed without prejudice.

MADE AND ENTERED at Lincoln, Nebraska, this 26th day of May, 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

¹ The Commission assumes that applicant will make this determination subsequent to the Commission's decision revealing the method for allocating NUSF support in NUSF-26.