

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2824
of United Telephone Company of)
the West, d/b/a Sprint of) GRANTED
Overland Park, Kansas, seeking)
approval of wholesale service)
standards.) Entered: November 26, 2002

BY THE COMMISSION:

On October 11, 2002, United Telephone Company of the West, d/b/a Sprint, filed with this Commission an application seeking approval of its wholesale service standards. Notice of the application was published in The Daily Record, Omaha, Nebraska, on October 14, 2002. No protests were filed; therefore, this application is processed pursuant to the Commission's rule of modified procedure.

F I N D I N G S A N D C O N C L U S I O N S

The Commission opened Docket No. C-2248/PI-37 for the purpose of investigating the implementation of wholesale service performance standards for incumbent local exchange carriers (ILECs). On March 20, 2001, the Commission determined that the quality of service that ILECs provide to their wholesale competitive local exchange customers (CLECs) is a critical component in the overall picture of improving the competitive environment. Without adequate service to wholesale customers, even the best efforts of a CLEC to compete could be harmed.

While the Commission determined that it is the proper regulatory body to oversee wholesale service quality standards, the Commission determined that promulgating detailed statewide industry standards would not be the most appropriate method for ensuring wholesale service quality in light of the differences between large and small local exchange carriers.

As competition is developing at different rates within the service areas of the various ILECs, the Commission determined that a phased-in process was appropriate. Accordingly, the Commission requested that the ILECs like Sprint should develop and submit service quality performance plans for Commission approval. Such plans were to be submitted within three months after the first interconnection agreement with a CLEC, whether negotiated or arbitrated. Such plans were required to allow a wholesale service customer to attain parity as compared to the ILEC's retail customer or satisfy the applicable sections of the

Commission Rules and Regulations on retail service quality, whichever is a higher standard. The plans also need to provide for sufficient levels of reporting to ensure compliance with the intent of the Commission's Docket No. C-2248/PI-37 order.

Having reviewed the wholesale service quality plan submitted by Sprint, the Commission is of the opinion and finds that said plan satisfies the criteria set forth in Docket No. C-2248/PI-37 and should be approved. Should Sprint fail to comply with the terms and conditions set forth in its wholesale service quality plan, it shall be subject to the Civil Penalty Procedures outlined in Commission Rules and Regulations, Title 291, Chapter 1, Section 027.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the wholesale service quality plan submitted by United Telephone Company of the West, d/b/a Sprint, should be and is hereby, approved as set for above.

MADE AND ENTERED at Lincoln, Nebraska, this 26th day of November, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director