BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, on its own motion, seeking to investigate whether it is appropriate for telecommunications companies to assess intrastate transit charges on Extended Area Service Traffic.	)	Application No. C-4165/PI-150 ORDER STATING ISSUES AND SETTING LIMITS ON DISCOVERY ENTERED: August 11, 2009

BY THE HEARING OFFICER:

By Order entered on April 28, 2009, the Commission opened this investigation to address the issues raised by a Petition for Declaratory Ruling filed by several rural independent local exchange carriers. Notice of this proceeding appeared in the Daily Record, Omaha, on April 29, 2009.

A technical workshop was held in this proceeding on August 4, 2009. The Hearing Officer's Procedural Order in this docket included a statement that limitations on the number of discovery requests may be discussed after the technical workshop. On August 7, 2009, counsel for Qwest Corporation, the Rural Independent Companies, and for the Commission had a conference call to discuss defining the issues for the hearing and to discuss limitations on discovery.

Based on mutual consent of counsel, the issues for the hearing were defined as follows:

1. How should extended area service (EAS) calls be routed to and from competitive carriers operating in areas which have EAS calling with an RLEC (e.g. trunk groups, switching, interconnection points, etc.)?

2. How should the costs (e.g. additional trunking and switching) of routing EAS traffic to and from competitive carriers be recovered?

3. What form and substance of EAS intercarrier terms and conditions should govern the relationships between and among Qwest, the RLECs, and carriers competing with Qwest?

4. What is the extent of the Commission's jurisdiction to address and resolve the above-referenced issues?

Counsel also agreed to limit discovery requests to twenty-five (25) questions including subparts. Discovery requests must be electronically sent in a Word format.

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O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the issues for the hearing in this proceeding shall be defined as provided herein.

IT IS FURTHER ORDERED that discovery requests to each party in this proceeding shall not exceed 25 questions, including subparts. Discovery shall be served electronically as prescribed herein.

MADE AND ENTERED at Lincoln, Nebraska, this 11th day of August, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

By: _____
Hearing Officer

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