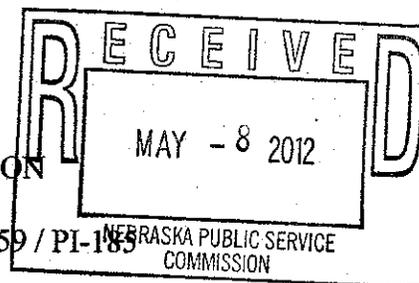


BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION



In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate and monitor compliance with federally mandated intercarrier compensation reform.)
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Application No. C-4459 / PI-185

**COMMENTS OF COX NEBRASKA
TELCOM, LLC**

Cox Nebraska Telcom, LLC ("Cox") hereby files these comments for the Public Service Commission's ("Commission's") consideration in Application C-4459 / PI-185, as provided in the Commission Order entered April 17, 2011. Cox appreciates the opportunity to provide input through the filing of these comments and Cox will also attend the workshop scheduled in the aforementioned docket on May 17, 2012. The reforms and intercarrier compensation mechanisms the Federal Communications Commission ("FCC") adopted in November 2011 are significant and complex. Cox applauds the Commission for opening this docket to ensure practices and policies related to the FCC's Order are implemented in Nebraska in a manner that assures the continued competitiveness of the telecommunications marketplace.

1.) *The manner in which the Commission should review tariff filings made pursuant to the new FCC rules.*

Cox believes the Commission should have reasonable assurance that tariff filings made by carriers in Nebraska are compliant with the FCC's order. To achieve that objective, Cox recommends the Commission have all companies include with their access tariff filing a list of both their interstate and intrastate rates that were in effect prior to and following the first step-down rate that will occur in July. This side-by-side comparison

will provide the Commission with the information necessary to have reasonable assurance that the tariff filing complies with the FCC order.

2.) The timeframe for the Commission's review of the tariff changes.

- i.) Should the Commission require the switched access tariff filings made pursuant to the FCC's Report and Order to be filed prior to the normal ten (10) day filing requirement?

No, Cox believes the Commission should follow the time period set forth in state statute that governs tariffs filings, that is ten (10) days.

- ii.) If so, when should the Commission require tariff amendments to be filed?

As indicated above in response to Question No. 2 (i), the Commission should utilize the ten (10) day period for access tariff filings.

- iii.) Should the Commission provide additional notice of the switched access tariff amendments filed? If so, how should the Commission provide notice of these tariff amendments?

Cox does not believe additional notice is necessary. However, since numerous carriers may request copies of tariffs it may be more efficient for the Commission to post copies of access tariff filings on their website. Or alternatively, the Commission could create an e-mail distribution list whereby interested parties can be sent electronic copies of the tariffs similar to the process used to distribute Nebraska Telecommunications Infrastructure and Public Safety Orders each week. Both methods may assist the Commission by reducing staff resources that otherwise may be spent making paper copies for interested parties.

3.) Whether supporting documentation should accompany the tariff changes, and if so, what should be filed:

i.) If supporting documentation is needed should the documentation required differ based on whether the telecommunications company is an incumbent carrier or competitive carrier? Please explain.

As described in response to Question No. 1 above, supportive documentation should be provided, but Cox does not believe such documentation needs to differ whether the company is an incumbent or a competitive carrier. The Commission should have all regulated carriers include with their access tariff filing a list of both interstate and intrastate rates that were in effect before and after the first step-down rate in July. This additional information will enable the Commission to review the tariff filing and be reasonably assured the filing complies with the FCC order.

4.) If the Commission determines that a telecommunications company's tariff changes are not consistent with FCC rules, what process should the Commission use to ensure compliance with the new FCC rules?

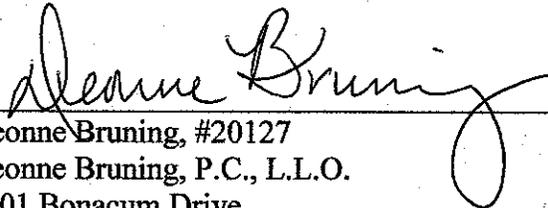
The Commission should exercise its enforcement authority found in state statute to ensure compliance. Pursuant to Neb. Rev. Stat. §75-156, the Commission may assess a civil penalty against a common carrier for violations of statutes, rules and Orders. The process to be used is set forth specifically in statute. The Commission must first notify the company in writing and specify certain information such as the facts and nature of the act or omission upon which the charge or violation is based, identify the statute, rule, regulation, or order that is purportedly violated and the time, date and place of a hearing. Carriers would be afforded ample due process before any monetary penalty was levied and before revocation of a certificate of public convenience and necessity occurred.

5.) Should the Commission use its enforcement tools for any telecommunications company failing to file the required switch access reductions? Should this be enforced by the FCC? Please explain.

As described above in response to Question No. 4, the Commission should use its enforcement authority and levy appropriate sanctions against any company that fails to file the required access reductions. Nebraska state statutes allow the Commission to administratively fine common carriers and revoke certificates of operating authority. The Commission should use these tools if necessary.

Respectfully submitted this 8th day of May 2012.

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