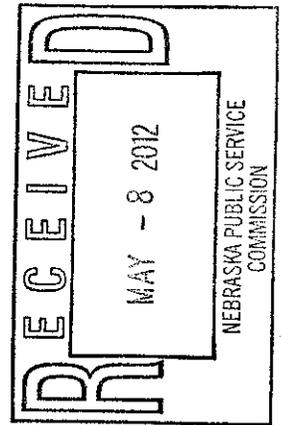


**BEFORE THE
NEBRASKA PUBLIC SERVICE COMMISSION**

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



**RURAL INDEPENDENT COMPANIES' COMMENTS IN RESPONSE TO
COMMISSION'S APRIL 17, 2012 REQUEST FOR COMMENTS**

INTRODUCTION

The Rural Independent Companies¹ respectfully submit these Comments in response to the Commission's Order requesting comment dated April 17, 2012 ("Order"). In the Order, the Commission seeks comments on procedures to be used in the filing and review of tariffs filed in response to the Federal Communications Commission ("FCC") Report and Order and Further Notice of Proposed Rulemaking released November 18, 2011 ("Report and Order"). The Report and Order required transition of certain switched access rate elements. The Rural Independent Companies appreciate this opportunity to submit these Comments regarding the questions raised in the Order.

The Rural Independent Companies' comments will be organized based upon the numbering and sequence of presentation of the questions in the Order.

¹ Arlington Telephone Company, Blair Telephone Company, Cambridge Telephone Co., Clarks Telecommunications Co., Consolidated Telephone Company, Consolidated Telco, Inc., Consolidated Telecom, Inc., The Curtis Telephone Company, Eastern Nebraska Telephone Company, Great Plains Communications, Inc., Hamilton Telephone Company, Hartington Telecommunications Co., Inc., Hershey Cooperative Telephone Company, Inc., K & M Telephone Company, Inc., The Nebraska Central Telephone Company, Northeast Nebraska Telephone Company, Rock County Telephone Company, Southeast Nebraska Communications, Inc., Stanton Telephone Co., Inc., and Three River Telco are identified as the "Rural Independent Companies".

DISCUSSION

Commission Topic 1:

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

Rural Independent Companies' Comment:

The Commission should review intrastate switched access tariff filings made in compliance with the Report and Order in accordance with the requirements of current Nebraska law. However, to the extent that such access tariff filings result in decreases to existing intrastate switched access rates and charges, the Rural Independent Companies urge the Commission to employ the procedure set forth in Section 014.02A of Proposed Rule and Regulation No. 178 and allow such access tariff filings to become effective ten (10) days after the filing of the tariff with the Commission.

Commission Topic 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?

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

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?

Rural Independent Companies' Comment:

i. The Rural Independent Companies do not believe that there is either a policy-based or practical reason to require that intrastate switched access tariff filings mandated by the Report and Order be filed prior to the 10-day filing

requirement set forth in Neb. Rev. Stat. §§ 86-143(1) and 86-144(1). The Rural Companies submit that this conclusion is supported by Section 014.02 of Proposed Rule and Regulation 178.

ii. In light of the response to i above, no response to item ii is required.

iii. The Rural Companies are unable to identify a reason or reasons that support establishment of a notice requirement beyond the 10-day notice filing.

Commission Topic 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.

Rural Independent Companies' Comment:

The Rural Independent Companies do not believe that there is a statutory basis for the Commission to require companies, at the time of or before the rate filing, to provide additional documentation. Further, paragraph 813 of the Report and Order in which the FCC addresses the role of state commissions in the implementation and enforcement of intercarrier compensation reforms does not mandate any actions by state commissions with regard to such implementation and enforcement. Rather, this paragraph speaks in terms that “states *could require* carriers to provide additional information . . .” (emphasis added)

Commission Topic 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 new FCC rules?

Rural Independent Companies' Comment:

The Commission should use the process required by statute, as set forth in Neb. Rev. Stat. § 86-140, and to the extent applicable, the procedures set forth in the Commission's April 20, 2010 Order entered in C-4145/NUSF-74/PI-147 to investigate and determine whether a particular company's intrastate switched access tariff filing is consistent with the requirements of the Report and Order.

Commission Topic 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.

Rural Independent Companies' Comment:

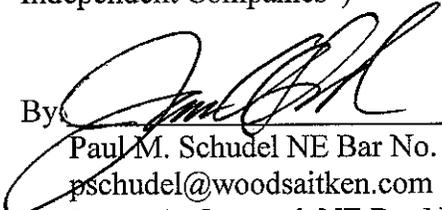
In paragraph 813 of the Report and Order the FCC affirms that state commissions may use their authority to enforce intercarrier compensation reforms. Whether it is necessary or appropriate for the Commission to do so will undoubtedly be determined by the Commission on a case by case basis.

CONCLUSION

The Rural Independent Companies respectfully request that the Commission consider the comments set forth above. Further, the Rural Independent Companies look forward to the opportunity to participate in the Commission's May 17, 2012 Workshop that will address the subject matter set forth above.

Dated: May 8, 2012.

Arlington Telephone Company, Blair Telephone Company, Cambridge Telephone Co., Clarks Telecommunications Co., Consolidated Telephone Company, Consolidated Telco, Inc., Consolidated Telecom, Inc., The Curtis Telephone Company, Eastern Nebraska Telephone Company, Great Plains Communications, Inc., Hamilton Telephone Company, Hartington Telecommunications Co., Inc., Hershey Cooperative Telephone Company, Inc., K & M Telephone Company, Inc., The Nebraska Central Telephone Company, Northeast Nebraska Telephone Company, Rock County Telephone Company, Southeast Nebraska Communications, Inc., Stanton Telephone Co., Inc., and Three River Telco (the "Rural Independent Companies")

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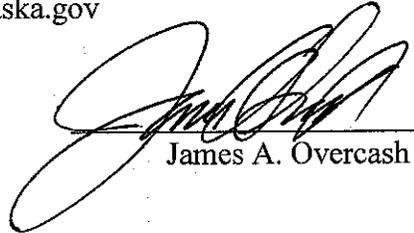
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 8th day of May 2012, the undersigned caused the original and five (5) paper copies of the foregoing Comments to be filed with the Commission; and caused one electronic copy of the Comments to be served on the Commission Staff person identified below:

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Deena.ackerman@nebraska.gov



James A. Overcash