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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to update and amend Title 291, Chapter 5, Telecommunications, in its entirety.) Rule and Regulation No. 214
)
) ORDER OPENING DOCKET, RELEASE
) PROPOSED RULES, SCHEDULING
) WORKSHOP, AND SEEKING COMMENT
)
) Entered: September 23, 2025

INITIAL COMMENTS OF LUMEN TECHNOLOGIES, INC.

COMES NOW Lumen Technologies, Inc., by and through undersigned counsel, on behalf of its incumbent local exchange carriers (“ILECs”) Qwest Corporation d/b/a CenturyLink QC and United Telephone Company of the West d/b/a CenturyLink (collectively, “Lumen”), and hereby submits the following initial comments in response to the September 23, 2025 order of the Nebraska Public Service Commission (the “Commission”) seeking comment on the Commission’s proposed revisions to Title 291, Chapter 5, of the Commission’s rules and regulations. Lumen appreciates the opportunity to offer comments to the Commission’s proposed revisions. All Section references herein are utilizing the proposed revised rules.

I. Comments to Proposed Revised Definitions:

The following proposed addition in redline to the revised definition seeks to incorporate the local rule governing ETCs:

- 001.01(N)R ELIGIBLE TELECOMMUNICATIONS CARRIER; ELIGIBLE TELECOMMUNICATIONS COMPANY. A carrier designated by the Commission pursuant to 47 U.S.C. § 214(e) and pursuant to Title 291 Neb. Admin. Code, Ch. 5, Section 009, to receive monetary support from the Federal Universal Service Fund.

The following proposed addition (in redline) seeks to incorporate revised language from the Commission policy adopted December 3, 2025, in Application No. C-5564/PI-250:

- 001.01(MM) OUTAGE; SERVICE INTERRUPTION. Any significant degradation in the ability of an end user to establish and maintain a channel of communications by use of a company or its affiliate's local exchange or long distance facilities, affecting multiple customers in an exchange, caused by the same set of circumstances, or a complete loss of extended area service or toll trunk groups in a central office; excluding loss of service which is planned and scheduled, occurs between midnight and 6:00am local time, and is of a duration less than 180 minutes.

Lumen suggests 180 minutes given that occasionally a method of procedure for an update can take longer than expected due to unanticipated issues.

II. Comments to Proposed Rule Changes:

- **Revised 002.23 SERVICE AREA****002.23(B).** Each exchange carrier shall maintain a map of its service territory, as approved by the Commission. Should the map maintained by the exchange carrier differ from the map maintained by the Commission, the Commission's map will control.

Lumen suggests adding language to Revised Section 002.23 to include an ability of the exchange carrier to request corrections to the Commission's map if the exchange carrier reasonably believes the map contains inaccuracies. Any such request must include supporting documentation and evidence demonstrating the nature of the error and the correct information. The Commission shall review the submitted proof and, if validated, update the map accordingly within a reasonable timeframe.

- **Revised 002.25 Transfer of Ownership of Exchange Carriers of Their Properties**

Lumen seeks clarification to confirm that the language "this rule shall not be construed to apply to purchase and sale transactions in the usual course of business between one exchange

carrier and another involving units of property less than a single exchange” is going to be maintained in 002.25(B).

- **009.02(D)C STUDY AREA LEVEL.** In instances where an eligible telecommunications carrier applicant seeks designation below the study area level of a rural telephone company, the Commission shall review the application for “cream-skimming,” or selectively choosing locations which are low-cost to the detriment of local carriers.

Lumen suggests language be *added* to Revised Section 009.02(D)C to state that a local carrier affected by cream-skimming shall be afforded the opportunity to intervene as of right in the ETC application docket.

- **(NEW) 015 DEREGULATION OF AN EXCHANGE**

At the outset, Lumen suggests that any inconsistency between the new Section 015 and LB311 (2025) shall be addressed. In other words, Section 015 should be consistent with LB311. For example, language regarding confidentiality of information collected by the Commission should be utilized and included in the new Section 015, to include:

“The commission may maintain the confidentiality of any information collected under the Telecommunications Exchange Deregulation Act that is claimed to be confidential for containing proprietary or commercial information and withhold such information from public disclosure pursuant to subdivision (3) of section 84-712.05.”

- **(NEW) 017 SUBMISSION OF CONFIDENTIAL INFORMATION**

Lumen seeks clarification as to whether the marking of confidential filings will automatically classify the filed information as confidential, or whether a protective order must be filed. The Proposed Section 017 is inconsistent in that it contemplates treatment of confidential information that is “so marked” (017.01(A)), but then in the next section 017.01(B), states that a party “seeking confidential treatment” of filed information may seek a Protective Order. There needs to be clarification here on this point because it would be highly inefficient and time consuming for the Commission to require any party seeking filed information to be Confidential to file a motion for protective order.

Lumen appreciates the Commission reviewing these initial comments to the proposed changes to Title 291, Chapter 5, of the Commission’s Rules and Regulations, and looks forward to further participation in this matter.

DATED this 4th day of December 2025.

Respectfully Submitted,

LUMEN TECHNOLOGIES, INC.,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 4th day of December 2025, a true and correct copy of the foregoing was served via electronic mail to:

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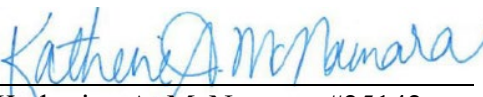
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