

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of  
  
Rural Call Completion

WC Docket No. 13-39  
DA 13-780

**REPLY COMMENTS OF THE NEBRASKA PUBLIC SERVICE COMMISSION**

The Nebraska Public Service Commission (NPSC) respectfully submits these reply comments in the Notice of Proposed Rulemaking (NPRM) released by the Federal Communications Commission (FCC) on February 7, 2013.<sup>1</sup> In the NPRM, the FCC seeks comment on rules to help address problems in completing long-distance telephone calls to rural customers. These reply comments specifically seek to clarify the record in the above-captioned proceeding in response to certain comments made by Sprint Nextel Corporation (Sprint) in its comments filed in this proceeding on May 13, 2013.

Sprint in its initial comments refers to call completion testing recently conducted in Nebraska in cooperation with certain interexchange carriers (IXC), Nebraska rural local exchange carriers (RLEC), and the NPSC. The testing was conducted as part of the NPSC investigation into rural call completion issues experienced by Nebraska citizens and exchange

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<sup>1</sup> *In the Matter of Rural Call Completion*, WC Docket No. 13-39, FCC 13-18, Notice of Proposed Rulemaking (rel. Feb. 7, 2013); Public Notice, DA 13-780 (rel. Apr. 18, 2013).

carriers.<sup>2</sup> While Sprint was one of the IXCs that participated in the testing, the 99.79% completion rate cited by Sprint represents only one small portion of the testing effort conducted by the NPSC and its partners.

The NPSC believes it was premature of Sprint to make conclusive statements regarding national call completion problems and issues based on one limited test conducted by Sprint as part of a larger testing effort undertaken by the NPSC and its industry partners. The NPSC's investigation into call completion problems in rural areas of Nebraska is ongoing and the NPSC continues to collect and analyze testing data. At this stage, there is insufficient data to draw any conclusions and the NPSC continues to receive complaints and reports of such problems not only still occurring, but even increasing in severity in the past few months.

The NPRM itself leaves no doubt that troubling call termination problems, especially in rural areas, not only exist, but demonstrates the need for immediate action to provide relief to customers that are attempting to place and receive calls in rural areas. Further, on May 23, 2013, the United States Senate adopted a Resolution demonstrating call termination problems continue and strongly urging the FCC to move forward with clear, comprehensive, and enforceable actions to stop such problems and aggressively pursue those entities violating FCC rules by engaging in such activities.<sup>3</sup>

The NPSC reiterates its support for the reporting and data retention requirements proposed by the FCC in the NPRM. We further urge the FCC to take additional measures beyond collecting data; such measures are outlined in the comments submitted by the National

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<sup>2</sup> See Application No. C-4328/PI-176, *In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate issues related to the service quality associated with intrastate interexchange service including the origination, termination, and routing of interexchange calls*, Order Opening Docket (February 1, 2011).

<sup>3</sup> See Sen. Res. 157, 113<sup>th</sup> Cong. (May 23, 2013) (resolution, expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas).

Association of Regulatory Utility Commissioners (NARUC) in this proceeding. Only consistent and comprehensive data collection and reporting will enable the FCC, state regulatory bodies, and industry members to pinpoint root causes underlying the issues and craft viable and effective solutions.

Respectfully submitted,

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