

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

In re Petition of CENTRAL TELEPHONE)
COMPANY – NEVADA, d/b/a SPRINT OF)
NEVADA, for a waiver of the 60 percent)
Ceiling on Lifeline credits as required by)
NAC 704.680475(2).)
_____)

Docket No. 03-1029

At a general session of the Public Utilities
Commission of Nevada, held at its offices
on March 20, 2003.

PRESENT: Chairman Donald L. Soderberg
Commissioner Richard M. McIntire
Commissioner Adriana Escobar Chanos
Commission Secretary Crystal Jackson

ORDER

The Public Utilities Commission of Nevada (“Commission”) makes the following
findings of fact and conclusions of law:

1. On January 23, 2003, Central Telephone Company – Nevada, d/b/a Sprint of Nevada (“Sprint”) filed a Petition with the Commission for a waiver of the 60 percent ceiling on Lifeline credits as required by Nevada Administrative Code (“NAC”). This matter has been designated as Docket No. 03-1029.

2. This Petition was filed pursuant to the Nevada Revised Statutes and NAC, Chapters 703 and 704, including but not limited to, NAC 703.540.

3. The Commission issued a public notice of this Petition in accordance with State law and the Commission’s Rules of Practice and Procedure. Said Notice was issued on February 3, 2003, with a comment deadline of February 26, 2003. No comments were received in this matter.

4. The rates set in Sprint's most recent rate case, Docket No. 02-12047, went into effect on July 1, 2002. These rates averaged an approximate 60 percent Lifeline credit.

5. On July 2, 2002, the Federal Communications Commission ("FCC") approved a change in Sprint's federal subscriber line charge for residential service. The FCC revision resulted in an increase in the percentage of the monthly Lifeline credit to an average of 61 percent.

6. NAC 704.680475(2) states in pertinent part, "In offering lifeline service pursuant to subsection 1, an eligible telecommunications carrier shall offer to qualifying low-income subscribers a lifeline discount...but the discount must not exceed 60 percent of the amount of the monthly rate..."

7. As such, Sprint has requested a waiver from the Commission of NAC 704.680475(2) so as to fully comply with the directive of the FCC regarding the federal subscriber line charge.

8. Pursuant to NAC 704.0097, the Commission may deviate from the provisions within Chapter 704 of the NAC: 1) if good cause is shown, 2) the deviation is in the public interest, and 3) the deviation does not violate any statutes.

9. The Commission finds that: 1) good cause exists for the deviation, 2) the deviation is in the public interest, and 3) the deviation does not violate any statutes.

10. The Commission further finds that an investigatory and rulemaking docket should be opened to determine if the 60 percent limitation on the Lifeline credit contained within NAC 704.680475(2) should be revised or repealed.

THEREFORE, based on the foregoing findings of fact and conclusions of law, it is hereby ORDERED that:

1. The Petition of Central Telephone Company – Nevada, d/b/a Sprint of Nevada, designated as Docket No. 03-1029, is GRANTED.

4. The Commission retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of the Order.

By the Commission,

DONALD L. SODERBERG, Chairman

RICHARD M. MCINTIRE, Commissioner

ADRIANA ESCOBAR CHANOS, Commissioner

Attest: _____
CRYSTAL JACKSON, Commission Secretary

Dated: Carson City, Nevada

3-31-03
(SEAL)