

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: JOHN HAMMOND

DATE: MARCH 2, 2004

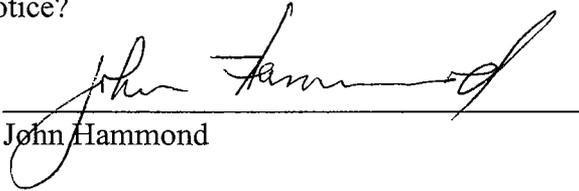
SUBJECT: JOINT MOTION BY THE IDAHO TELEPHONE ASSOCIATION AND CITIZENS TELECOMMUNICATIONS OF IDAHO TO TAKE OFFICIAL NOTICE OF AN ORDER ISSUED BY THE NEBRASKA PUBLIC SERVICE COMMISSION IN CASE NOS. GNR-T-03-08 AND GNR-T-03-16 (ETC APPLICATIONS OF NEXTEL PARTNERS AND CLEAR TALK).

On February 12, 2004, the Idaho Telephone Association ("ITA") and Citizens Telecommunications Company of Idaho ("Citizens") filed a Motion requesting the Commission Take Official Notice of a recent order issued by the Nebraska Public Service Commission in Case No. C-2932, "In the Matter of the Application of Amended NPSC, Inc. dba Nextel Partners." Citizens and ITA state that evidentiary hearings and post hearing briefing in this matter concluded prior to the issuance of the Nebraska Public Service Commission decision. ITA and Citizens state the Nebraska Order is relevant to the Commission's deliberations because it concerns Nextel Partners Application for ETC status in that state. Citizens and ITA claim that no party will be prejudiced by the granting of this Motion. No opposition has been filed to the Joint Motion.

COMMISSION DECISION

Pursuant to Commission Rule of Procedure 263.01(a)(2) the Commission may take judicial notice of orders of any other regulatory agency, state or federal.

Based on the foregoing authority, does the Commission wish to grant ITA and Citizens' Second Motion to Take Official Notice?



John Hammond

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