

SECRETARY'S RECORD, NEBRASKA STATE RAILWAY COMMISSION

BEFORE THE NEBRASKA STATE RAILWAY COMMISSION

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| In the Matter of the Formal Complaint |) | FORMAL COMPLAINT NO. 910 |
| of: |) | |
| Norman Hilfiker and Lloyd Levi, et al, |) | Sustained Final Order |
| Lindy, Nebraska |) | |
| vs. |) | Entered September 28, 1956 |
| Addison Telephone Company, |) | |
| Bloomfield, Nebraska |) | |

APPEARANCES:

For the Complainant:

Lloyd Levi
Lindy, Nebraska

Norman Hilfiker
Lindy, Nebraska

For the Defendant:

J. H. Evans
Bloomfield, Nebraska

For the Commission:

John A. Bonebright, Director
Accounting-Engineering Departments

By the Commission:

On May 14, 1956, Norman Hilfiker and Lloyd Levi, et al, filed a formal complaint with the Commission charging that since the 18th day of March, 1956, the Addison Telephone Company, Bloomfield, Nebraska, has failed, neglected and refused to hire a switchboard operator for the Lindy exchange of the Addison Telephone Company.

Pursuant to notice, as required by law, the matter came on for public hearing in the Wieckman Farm Equipment Building, Lindy, Nebraska, at 9:30 A. M. June 11, 1956. Testimony was adduced and the matter taken under advisement.

Upon consideration of the complaint and the testimony adduced at the hearing, the Commission, on June 18, 1956, entered an order whereby the complaint was sustained and the Addison Telephone Company was ordered to restore service and present plans for rehabilitation of its facilities to the Commission on or before August 1, 1956.

It was further ordered that if the Addison Telephone Company failed to comply with the provisions of this order on or before August 1, 1956, the matter would be brought to the attention of the Commission to determine what further steps should be taken.

On July 12, 1956, the Commission received a copy of the motions that were passed by the Board of Directors of the telephone company which read in part as follows: "Moved by William Jungclaus that Addison Telephone Company wait until August 1, 1956, and see what the Railway Commission will do then. Seconded by Alfred Johnson. Five votes for motion, two against. Motion carried".

On September 4, 1956, the Commission received a notice from Lloyd Levi that the Addison Telephone Company had done nothing to restore service nor had they made any plans for rehabilitating its plant and facilities.

Upon consideration of the complaint, the record herein, the motion passed

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by the Board of Directors of the Addison Telephone Company, and being fully advised in the premises, the Commission is of the opinion and finds that the territory of the Addison Telephone Company, Lindy, Nebraska, should be declared open to anyone who is fit, willing and able to render a commercial grade of telephone service in that area.

ORDER

IT IS THEREFORE ORDERED by the Nebraska State Railway Commission that Formal Complaint No. 910 be, and it is hereby further sustained, and the territory of the Addison Telephone Company, Lindy, Nebraska, be declared open.

MADE AND ENTERED at Lincoln, Nebraska, on this 28th day of September, 1956,

NEBRASKA STATE RAILWAY COMMISSION

Joseph F. Brown
Chairman

ATTEST:

Don A. Boyd
Secretary

COMMISSIONERS CONCURRING:

Joseph F. Brown
Richard H. Hansen