

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application)	Application No. C-5047
of Northeast Nebraska Telephone)	
Company and Clarks)	
Telecommunications Co., seeking)	
approval of the merger of Clarks)	GRANTED
Telecommunications Co. to NNTC;)	
the transfer of the customer base)	
of Clarks Telecommunications Co.,)	
to NNTC; the withdrawal of the)	
authority granted to Clarks)	
Telecommunications Co. and the)	
cancellation of its tariff.)	Entered: May 21, 2019

BY THE COMMISSION:

On April 12, 2019 a joint application was filed by Northeast Nebraska Telephone Company (NNTC) and Clarks Telecommunications Co. (Clarks) (collectively referred to as Applicants) seeking approval of the merger of Clarks to NNTC, the transfer of the customer base of Clarks Telecommunications Co to NNTC, the withdrawal of the authority granted to Clarks and the cancellation of Clarks' tariff. Notice of the application was published in The Daily Record, Omaha, Nebraska, on April 16, 2019. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

O P I N I O N A N D F I N D I N G S

The Parties:

NNTC is a Nebraska non-profit corporation with its principal office located in Jackson, Nebraska. NNTC is engaged in the provision of general telecommunications services and currently provides basic local exchange service in 22 exchanges with approximately 5,363 access lines.

CenCom, Inc. doing business as NNTC Long Distance, is a wholly owned subsidiary of NNTC, and provides interexchange telecommunication service to all of NNTC exchanges and also to three exchanges served by Clarks.

Clarks is engaged in providing local exchange service in three exchanges with approximately 613 access lines. The Commission granted Clarks authority to provide such service in Application No. 21095. Clarks is a wholly-owned subsidiary of NNTC.

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Description of the Transaction:

On March 20, 2019, the Boards of Directors of the applicants approved the Plan of Merger. A copy was filed with the application as Exhibit "A" and was incorporated therein. NNTC seeks authority to merge Clarks with and into NNTC as described in the Plan of Merger. Clarks' customers will become customers of NNTC following completion of the merger and will be offered membership in NNTC. On the date that the merger is completed, all of the rights, privileges, immunities, powers, licenses and franchises of a public and private nature, and property assets of Clarks will become the property and assets of NNTC and NNTC will be responsible for the debts and liabilities of Clarks. Clarks also seeks to transfer its customer base to NNTC, to withdraw the authority granted in Application No. 21095 and to cancel its tariff.

According to Applicants, NNTC, by virtue of having the same officers, directors, management, and staff as Clarks, is technically capable of providing service to the customers of Clarks. Applicants further stated that NNTC is financially capable of providing such service. Applicants stated NNTC has no present intention to increase the local service rates in any of the exchanges served by Clarks. Applicants stated a grant of the application would be in the public interest.

Based on the evidence, we find the application to be fair and reasonable and in the public interest. The application should be granted.


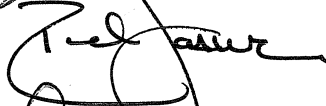


O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-5047 be, and it is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 21st day of May, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



Chair

ATTEST:



Executive Director