

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-5306
of Devin Weyer, Liberty, seeking)
authority to receive advanced)
telecommunications capability) GRANTED
service from the North)
Summerfield Exchange of Blue)
Valley Telecommunications, Inc.) Entered: September 28, 2021

BY THE COMMISSION:

On July 26, 2021 an Application was filed by Devin Weyer ("Applicant") of Liberty, Nebraska, seeking authority to receive advanced telecommunications service from the North Summerfield Exchange of Blue Valley Telecommunications, Inc. ("Blue Valley"), in lieu of Applicant's current telephone service from Windstream Nebraska, Inc. ("Windstream"). Notice of the application was published in The Daily Record, Omaha, Nebraska, on July 30, 2021. No protests were filed; therefore, this docket was handled pursuant to the Commission's Rules of Modified Procedure.

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

Blue Valley and Windstream are local exchange carriers holding certificates of public convenience and necessity to provide local exchange service in their respective territories. Devin Weyer is located within the boundary of Windstream's Barneston Exchange and has requested a boundary change so that he or she may receive telephone service from the North Summerfield Exchange of Blue Valley. Windstream has notified the Commission that it does not oppose the proposed boundary change. Blue Valley has also notified the Commission that it is willing to make the boundary change and provide service to the Applicant.

Changes of a local exchange territory are governed by *Neb. Rev. Stat.* §§ 86-135 to 86-138. Section 86-135 states that only upon non-consent of all telephone carriers involved shall the Commission hold a public hearing in the application. With no protest filed by any party and with each of the affected local exchange carriers consenting to the boundary change, the Commission processes this application administratively and without a public hearing.

The Commission staff has modified the Blue Valley and Windstream local exchange maps to show the boundary change to the

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North Summerfield Exchange. Copies of the exchange maps with the proposed revisions are attached as Attachment "A" to this Order and hereby incorporated for reference. If either company has objections or changes to the proposed boundary map, it has until October 15, 2021, to contact the Commission with said objections or changes. If the Commission receives no objections or changes from Blue Valley or Windstream by close of business on October 15, 2021 the boundary maps shall be modified as proposed in Attachment "A".

The Commission finds that, in light of the consent between the parties involved, the application is in the public interest and should be granted. It is the expectation of the Commission that the two carriers involved in the boundary change shall collaborate in good faith to ensure that the transition of the customer's service from one carrier to the other shall be as seamless as possible.

O R D E R


IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-5306 be, and it is hereby, granted.

IT IS FURTHER ORDERED that on or before October 15, 2021 the parties to this docket shall contact the Commission with any changes or concerns regarding the boundary as proposed in Attachment "A" to this order. If no objection is received from Blue Valley or Windstream, the boundary as shown in Attachment "A" to this Order, shall be the official boundary of the two telecommunication companies.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 28th day of September, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Deputy Director

