

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-5335
of Windstream Nebraska, Inc.,)
Lincoln, Nebraska, seeking a) ORDER GRANTING APPLICATION
waiver of the requirement of 291)
Neb. Admin. Code § 5-002.06)
regarding public pay stations.) Entered: November 16, 2021

BY THE COMMISSION:

On September 21, 2021, the Nebraska Public Service Commission ("Commission") received an application from Windstream Nebraska, Inc. of Lincoln, ("Windstream"), seeking a waiver of the requirement contained in 291 Neb. Admin. Code § 5-002.06 of the Commission's Rules and Regulations regarding public pay stations. Notice of the application was published in The Daily Record, Omaha, Nebraska, on September 30, 2021. No protests were filed to the waiver sought; therefore, this docket 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

Windstream is a local exchange carrier holding a certificate of public convenience and necessity to provide local exchange service in the State of Nebraska. The Commission's regulations at 291 Neb. Admin. Code § 5-002.06 state:

In each municipality served by an exchange carrier where public convenience requires it, the exchange carrier shall supply at least one public pay station that will be available to the public on a 24-hour basis. The requirement for this facility may be waived by the Commission for reasons such as: abusive vandalism or damage, excessive cost of maintaining the pay station, or lack of use.

In its application, Windstream seeks a waiver of the Commission's rule to maintain a public pay station in many of its service territories, as follows:

Avoca	Bellwood	Bradshaw
Barneston	Benedict	Brainard
Beaver Crossing	Bennet	Bruno
Bee	Blue Springs	Carleton

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Colon	Jansen	Prosser
Crab Orchard	Julian	Raymond
Dawson	Juniata	Rising City
Denton	Kramer	Shelby
Deweese	Liberty	Shickley
Dewitt	Malcolm	Strang
Edgar	Martell	Surprise
Elmwood	Milligan	Sutton
Endicott	Nelson	Swanton
Fairfield	Nemaha	Syracuse
Filley	Ohiowa	Table Rock
Firth	Osceola	Tobias
Glenvil	Panama	Valparaiso
Grafton	Pawnee City	Waco
Gresham	Peru	Wahoo
Guide Rock	Pickrell	Western
Hardy	Polk	

Windstream states the Commission should grant the requested waivers because of a lack of use and ongoing cost to maintain each of the above-listed pay stations. In filings, Windstream submitted information to the Commission indicating that these pay stations have received very little or no use over the past several years, and the stations continue to incur costs from ongoing maintenance and repairs.

Upon consideration of the waiver request, the Commission is of the opinion and finds that in light of the reasons cited by Windstream, the requested waiver is reasonable and should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the waiver of 291 Neb. Admin. Code § 5-002.06 sought by Windstream Nebraska, Inc., shall be, and is hereby, granted.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 16th day of November, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rob Johnson
Crystal Brander
Mary Kiddy
Tim Schram

Don Watson
Chair

ATTEST:

Shanice Khutson
Deputy Director