

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Leonard A. Holmann, Columbus, Nebraska, for authority to receive telephone service from the Columbus exchange of General Telephone Company.)	Application No. C-13
	DENIED
	Entered: July 23, 1980

APPEARANCES: For the Protestant

David Sather, Attorney
100 South 19th Street
Omaha, Nebraska

OPINION AND FINDINGS

BY THE COMMISSION:

By application filed May 5, 1980, Leonard A. Holmann, Columbus, Nebraska, seeks to receive telephone service from the Columbus exchange of General Telephone Company of the Midwest.

Copies of the application were served upon General Telephone Company of the Midwest and Northwestern Bell Telephone Company.

Pursuant to notice required by law, public hearing was held on the application on May 21, 1980 at 10:00 a.m. in the Courthouse, Columbus, Nebraska with appearance as set forth above. This application was heard on a consolidated record with application No. 33797 which is the subject of a separate order.

Upon consideration of the application, the evidence adduced at the hearing and being fully advised, the Commission is of the opinion and finds that:

1. Applicant is an individual who resides within the Creston, Nebraska exchange of Northwestern Bell Telephone Company. His location is in the Northeast Quarter of Section 19, Township 19 North, Range 1 East, Platte County, Nebraska.
2. Northwestern Bell Telephone Company is a common carrier furnishing telephone service in Nebraska including at Creston, Nebraska.
3. General Telephone Company of the Midwest is a common carrier furnishing telephone service in Nebraska including at Columbus, Nebraska.
4. Testimony was offered by the applicant, the other applicant, Mr. Behlen and his wife, by two of their neighbors and by both telephone companies.
5. Applicant does not have telephone service at the present time. He is now under a doctor's care and needs telephone service in case of an emergency. His relatives are located in Columbus and virtually all of his business is done in Columbus. He does not feel that Creston service would suit his needs.
6. The Creston telephone line passes the applicant from west to east and extends east from his location serving 8 other subscribers.
7. Section 75-613 R.R.S. Neb. 1943 sets forth the conditions under which the Commission may grant applications such as this. Among these conditions is that the Commission must find that granting the application will not create a duplication of facilities. Granting this application would create a duplication of facilities because Northwestern Bell Telephone Company's facilities serving the 8 other subscribers would remain. The application therefore cannot be granted.
8. The applicant should be denied.

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ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-13 be and it is hereby denied.

MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of July, 1980.

NEBRASKA PUBLIC SERVICE COMMISSION

Charles D. Simpson
Chairman

ATTEST:

Secretary

Tennessie L. Kuthers

COMMISSIONERS CONCURRING:

Jack Korman
Deane D. Day