

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA SERVICE COMMISSION

In the Matter of the Application of)	Application No. C-87
Dalton Telephone Company, Inc., a)	
Nebraska Corporation of Dalton,)	
Nebraska, for the Acquisition of)	GRANTED
the Common Stock of Panhandle)	
Telephone Company, Inc.)	Entered: December 30, 1980

APPEARANCES: For the applicant
Frank J. Mattoon, Attorney
P.O. Box 316
Sidney, Nebraska 69162

OPINION AND FINDINGS

BY THE COMMISSION:

By application filed October 16, 1980, Dalton Telephone Company, Inc. seeks authority to acquire the Common Stock of Panhandle Telephone Company, Inc., a Nebraska Corporation, of Dix, Nebraska.

Notice of the filing of the application was published pursuant to the provisions of the Commission's Rules and Regulations. No protest to the application was filed.

Pursuant to notice required by law, public hearing was held on the application on December 9, 1980, at 10:00 a.m. in the County Court House Assembly Room, Kimball, Nebraska with appearances as set forth above.

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 a Nebraska Corporation having its principal place of business at Dalton, Nebraska. It is engaged in the telephone business serving subscribers through three exchanges located in Dalton, Gurley and Lodgepole, Nebraska and surrounding territory.
2. The capitol stock of Panhandle Telephone Company, Inc. consists of 185 shares of common stock which are owned by Russell I. Brothers (97 shares) Gene A. Brothers (44 shares) and Gene A. Brothers, Personal Representative of the Estate of Jack W. Brothers, Deceased (44 shares).
3. A copy of agreement for sale of stock of Panhandle Telephone Company, Inc. was introduced in evidence as part of Exhibit 4. This agreement, signed by Russell I. Brothers, Gene A. Brothers, and Gene A. Brothers, representative of the estate of Jack W. Brothers for the seller and by Jack A. Swaim, Lowell L. Swanson and Mildred R. Swanson for the buyer, sets forth the terms and conditions of the sale of 185 shares and provides for a purchase price of \$300,000.00, in cash, and the assumption of indebtedness of Panhandle Telephone Company, Inc. in the approximate amount of \$201,463.60.
4. A letter of personal representative was introduced in evidence as Exhibit 3. The letter states that on April 2, 1980, Gene A. Brothers was appointed representative of the estate of Jack W. Brothers, Deceased.
5. The buyer plans to seek a loan from the Rural Electrification Administration in order to improve the service to offer Panhandle subscribers all one party service. Exhibit 5 is a Area Coverage Design prepared by Nixon Engineering in support of the loan application to the REA.

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6. Applicant proposes to merge Panhandle Telephone Company, Inc. into Dalton Telephone Company, Inc. and the existing Panhandle Telephone Company, Inc. dissolve.

7. The existing personnel of the Dalton Telephone Company, Inc. will operate and maintain the exchanges of Bushnell and Dix if acquisition is approved by the Commission.

8. The application is fair and reasonable, is in the public interest and should be granted.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-87 be and it is hereby granted and Dalton Telephone Company, Inc. is hereby authorized to acquire the Common Stock of Panhandle Telephone Company, Inc. owned by Russell I. Brothers, Gene A. Brothers and Gene A. Brothers, Personal Representative of the estate of Jack W. Brothers, Deceased.

IT IS FURTHER ORDERED that this order be and is hereby made the Commission's Official Certificate of Public Convenience and Necessity to the buyers to acquire the shares of stock as proposed herein.

MADE AND ENTERED at Lincoln, Nebraska, this 30th day of December, 1980.

NEBRASKA PUBLIC SERVICE COMMISSION

Harold D. Simpson
Chairman

ATTEST:

COMMISSIONERS CONCURRING:

Jack Rowan
Duane D. Gay

Terrence L. Hubert
Secretary