

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application)	Application No. C-119
of Consolidated Telephone Company,))	
Lincoln, Nebraska and Arthur Non-))	
Stock Cooperative Telephone Com-))	
pany, Arthur, Nebraska, for a))	
Certificate of Public Convenience)	GRANTED
and Necessity for the Sale of the)	
Assets of Arthur Non-Stock Coop-))	
erative Telephone Company to Con-))	
solidated Telephone Company.)	Entered: March 31, 1981

APPEARANCES: For the applicants
Larry G. Carstenson, Attorney
P.O. Box 167
Aurora, Nebraska
and
Thomas M. Shanahan, Attorney
P.O. Box 119
Ogallala, Nebraska

OPINION AND FINDINGS

BY THE COMMISSION:

By joint application filed January 20, 1981, Consolidated Telephone Company, Lincoln, Nebraska and Arthur Non-Stock Cooperative Telephone Company, Arthur, Nebraska seek a Certificate of Public Convenience and Necessity for the sale of the assets of Arthur Non-Stock Cooperative Telephone Company to Consolidated Telephone Company.

Notice of the filing of the application was published pursuant to the provisions of the Commission's Rules and Regulations. A protest to the application filed by Keystone-Arthur Telephone Company was subsequently withdrawn. One letter opposing and four letters in support of the application were received.

Public hearing was scheduled to be held on the application on March 26, 1981 at Arthur, Nebraska. With the withdrawal of the protest, the hearing was cancelled and a short form hearing held.

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, Consolidated Telephone Company, (Consolidated), is a corporation organized and existing under the laws of the State of Nebraska with its principal place of business at Lincoln, Nebraska.

2. Applicant, Arthur Non-Stock Cooperative Telephone Company, (Arthur), is a non-profit corporation organized and existing under the laws of the State of Nebraska with its principal place of business at Arthur, Nebraska.

3. Consolidated is engaged in the telephone business as a common carrier furnishing telephone service in Blaine, Thomas, Hooker and Grant Counties and in parts of Cherry, Brown, Custer, Loup, Logan, Sheridan, Garden and Arthur Counties through eleven telephone exchanges.

4. Arthur is a mutual company furnishing telephone service to its members through a telephone exchange at Arthur, Nebraska.

5. Pursuant to a vote of its members, with 78% voting in favor, an agreement of sale was entered into between Arthur and Consolidated providing for the purchase by Consolidated of all of the assets except cash, money and accounts receivable of Arthur. A copy of the Agreement for Sale is attached to the application and is incorporated herein by reference.

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6. Consolidated proposes to modernize and rebuild the facilities serving the Arthur exchange and will provide the Arthur subscribers with all buried one party service. Rates proposed for service at the Arthur exchange, to become effective on completion of the service improvements, are:

Business one party	\$15.00 per month
Residence one party	8.00 per month
Rural one party	17.50 per month

7. Until such time as the service improvements have been completed, it is proposed that the current Arthur exchange rates and the Consolidated General Exchange Tariff would apply for service in the Arthur exchange.

8. Applicants have stipulated that this application does not intend to modify or affect in any way the toll facilities or extended area service to and from the Arthur exchange.

9. The application is of advantage to the subscribers of both telephone companies, 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-119 be and it is hereby granted and Consolidated Telephone Company be and it is hereby authorized to acquire the assets of Arthur Non-Stock Cooperative Telephone Company under the terms and conditions set forth in the Agreement for Sale referred to in the Opinion and Findings herein.

IT IS FURTHER ORDERED that this order be and it is hereby made the Commission's Official Certificate of Public Convenience and Necessity to Consolidated Telephone Company to serve the area presently served by Arthur Non-Stock Cooperative Telephone Company.

IT IS FURTHER ORDERED that Consolidated Telephone Company be and it is hereby authorized to charge and collect the schedule of one party rates set forth in the Opinion and Findings herein for telephone service at the Arthur exchange, effective upon completion of the service improvement program.

IT IS FURTHER ORDERED that the present Arthur exchange rates shall remain in force and effect until the completion of the service improvement program; that Consolidated Telephone Company's General Exchange Tariff shall apply to service at Arthur; and that Consolidated Telephone Company file appropriate tariff sheets with the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 31st day of March, 1981.

NEBRASKA PUBLIC SERVICE COMMISSION

Duane D. Gay

Chairman

ATTEST:

COMMISSIONERS CONCURRING:

Jack Roman

Terrence L. Kuback
Secretary