

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of	)	Application No. C-339
ATS Mobile Telephone, Inc., Omaha,	)	
Nebraska, for approval of new service	)	GRANTED
and rate for Digital Display Paging.	)	
	)	Entered: May 3, 1983

APPEARANCES: For the applicant  
Donald H. Erickson, Attorney  
10330 Regency Parkway Drive  
Omaha, Nebraska 68114

OPINION AND FINDINGS

BY THE COMMISSION:

By application filed January 3, 1983, ATS Mobile Telephone, Inc., Omaha, Nebraska seeks approval of new service and rate for digital display paging.

Notice of the filing of the application was published pursuant to the provisions of the Commission's Rules and Regulations. A letter of protest to the application was filed by H. Sherman, Sherman Radio, Omaha, Nebraska.

Pursuant to notice required by law, public hearing was held on the application on March 16, 1983 in the Commission Hearing Room, Lincoln, Nebraska with appearances as set forth above.

Attached to the application and incorporated herein by reference are copies of the following proposed tariff pages:

First Revised Page 1	First Revised Page 18
First Revised Page 2	First Revised Page 19
First Revised Page 5	First Revised Page 19a
First Revised Page 5a	First Revised Page 20

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 with its principal place of business at Omaha, Nebraska. It is engaged in the communications business as a radio common carrier and is subject to the jurisdiction of this Commission.
2. Among the services presently offered by applicant are tone-only and tone and voice paging service. Applicant now proposes to offer a direct dial interconnected paging digital display service. A monthly service rate of \$11.00 plus \$0.80 per land line telephone number is proposed along with a monthly charge for equipment of \$8.00.
3. Neil Johnson testified. He is General Manager of ATS. Digital display paging technology became available in 1982. ATS has invested approximately \$20,000 in modifying its terminal to offer digital display paging and has obtained FCC licenses for the necessary transmission frequencies. Digital display paging enables a subscriber to receive in addition to a tone signal, a numerically coded signal displayed visually on the pager. The service is similar to that being offered by Northwestern Bell Telephone Company.
4. Harold Sherman testified that the applicant was already offering the service proposed before authority had been granted by this Commission. Exhibit 3 is a copy of an application for service effective March 12, 1983, offered by Mr. Sherman as evidence that the service was being provided without authority.

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5. Section 75-616 of the Nebraska Statutes provides that "Whenever any company files a specific tariff for new equipment, new service feature of existing equipment, or rate not previously offered, and the Public Service Commission has not finally determined such tariff within sixty days thereafter, it shall become effective as filed. Such tariff shall remain in effect until the commission determines an appropriate interim tariff or finally determines the matter."

6. Pursuant to this statute, the applicant could lawfully offer the service on and after March 5, 1983.

7. 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-339 be and it is hereby granted and ATS Mobile Telephone Company be and it is hereby authorized to revise its tariff to include the pages set forth in the Opinion and Findings herein.

IT IS FURTHER ORDERED that applicant file appropriate tariff sheets with the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of May, 1983.

NEBRASKA PUBLIC SERVICE COMMISSION

*Harold D. Simpson*  
Chairman

ATTEST:

COMMISSIONERS CONCURRING:

*Duane D. Gay*

*Terrence L. Kubicek*  
Executive Secretary