

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of )	Application No. C-360
Northwestern Bell Telephone Company, )	
Omaha, Nebraska, for approval of )	DENIED
tariff sheets of its Mobile Telephone )	
Exchange Service. )	Entered: October 4, 1983

APPEARANCES: For the applicant  
Richard Johnson, Attorney  
100 South 19th Street  
Omaha, Nebraska

For the protestant  
P. J. Heaton, Attorney  
Box 274  
Sidney, Nebraska

## OPINION AND FINDINGS

## BY THE COMMISSION:

By its application filed February 9, 1983, the Northwestern Bell Telephone Company, Omaha, Nebraska seeks approval of tariff sheets of its Mobile Telephone Exchange Service.

Notice of the filing of the application was published pursuant to the provisions of the Commission's Rules Regulations. A protest to the application was filed by P. J. Heaton.

Pursuant to notice required by law, public hearing was held on the application on July 7, 1983 at 9:00 a.m. in the Courthouse, Sidney, 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 an Iowa corporation duly authorized to do business in the State of Nebraska with its principal place of business at Omaha, Nebraska. It is engaged in the telephone business as a common carrier under the jurisdiction of this Commission.
2. Applicant furnishes mobile telephone service at several locations in Nebraska including McCook, Sidney and Kimball. Applicant seeks by this application to discontinue its mobile telephone service at McCook, Sidney and Kimball.
3. Applicant offered the testimony of one witness who indicated that applicant had decided to discontinue offering mobile telephone service because of the age of the present equipment and the investment necessary to modernize it. Sidney and Kimball is operated as one two-channel system serving 40 subscribers. McCook has one channel presently serving two subscribers. Both of the systems are manual with an operator required to complete calls.
4. The protestant was concerned about continued availability of service and the cost of changing his equipment to another system.

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5. Testimony was offered by Midstate Systems, Inc. and Tracy Corp. II, radio common carriers concerning services which they offered or proposed to offer in the areas. The Commission further takes notice that applications have been filed with it to provide mobile service at McCook, Sidney and Kimball.

6. Having considered all of the evidence, we cannot find that public convenience and necessity does not require the continued offering of the service in question. We further find no evidence that applicant has attempted to transfer its authority to a qualified purchaser and must therefore deny its application.

## ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that application No. C-360 be denied.

MADE AND ENTERED at Lincoln, Nebraska, this 4th day of October, 1983.

NEBRASKA PUBLIC SERVICE COMMISSION

*Harold D. Simpson*  
Chairman

ATTEST:

COMMISSIONERS CONCURRING:

*Duane D. Gay*

*Terrence L. Kubicek*  
Executive Secretary