

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA TELEPHONE COMPANY

In the Matter of the Application of )  
Marvin D. Werkmeister, Tilden, Nebraska )  
for authority to receive telephone )  
service from the Tilden exchange of the )  
General Telephone Company. )

Application No. C-450

DENIED

Entered: February 14, 1984

APPEARANCES: For the intervenor,  
Great Plains Communications, Inc.  
Wyman Nelson, Attorney  
1645 Front Street  
Blair, Nebraska

OPINION AND FINDINGS

BY THE COMMISSION:

By application filed October 5, 1983, Marvin D. Werkmeister, Tilden, Nebraska seeks authority to receive telephone service from the Tilden exchange of the General Telephone Company of the Midwest.

Copies of the filing of the application were served on General Telephone Company of the Midwest and Northeastern Telephone Company (now Great Plains Communications, Inc.). A petition to intervene was filed by Great Plains Communications, Inc.

Pursuant to notice required by law, public hearing was held on the application on January 12, 1984 at 10:00 a.m. in the Fire Hall Meeting Room, Tilden, Nebraska with appearance as shown.

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 in Tilden, Nebraska. He has purchased a farm located in the Southwest Quarter of the Northwest Quarter of Section 3, Township 24 North, Range 5 West, Antelope County, Nebraska upon which his son will live.
2. The farm is in the Oakdale exchange of Great Plains Communications, Inc. whose facilities extend to the house although service is not connected.
3. Mr. Werkmeister testified that having Oakdale service at the farm would be very inconvenient because of the need for frequent communications between himself and his son. Tilden is the area in which most of their business is conducted.
4. In considering applications such as this, the Commission is bound by the Nebraska Statutes to make certain findings, including (1) that the applicant is not receiving reasonably adequate telephone service; (2) that no duplication of facilities would be created; (3) that each company would serve its own community of interest; and (4) that the applicant is willing to pay for the cost of construction and the loss of investment. The statute also provides that the existence of toll charges does not constitute inadequate service.

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5. Applicant has failed to establish the findings required by law and the application should be denied.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that application No. C-450 be and it is hereby denied.

MADE AND ENTERED at Lincoln, Nebraska, this 14th day of February, 1984.

NEBRASKA PUBLIC SERVICE COMMISSION

*Harold D. Simpson*  
Chairman

ATTEST:

COMMISSIONERS CONCURRING:

*Duane D. Gay*

*Terence L. Kuback*  
Executive Secretary