

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of	)	Application No. C-464
United Telephone Company of the West,	)	
Scottsbluff, Nebraska, for Authority to	)	GRANTED IN PART
file tariff sheets establishing the	)	
Access Service Tariff.	)	Entered: December 27, 1983

APPEARANCES: For the Applicant  
J. Richard Smith, Attorney  
6666 West 110th Street  
Overland Park, Kansas 66211

OPINION AND FINDINGS

BY THE COMMISSION:

By its application filed November 1, 1983, the United Telephone Company of the West, Scottsbluff, Nebraska, ("United") seeks authority to implement a schedule of charges for access to its local exchange network to be imposed upon interexchange carriers for the origination and termination of intrastate inter-LATA communications and end users of the network for the ability to make and receive such communications.

Notice of the filing of the application was published pursuant to the Commission's Rules and Regulations and on November 21 and 22, 1983 a hearing was held in the commission's hearing room, Lincoln, Nebraska, on this application with the appearances shown.

Having considered the matters, the testimony adduced at the hearing and being fully advised, the Commission is of the opinion and finds:

1. United is a corporation organized and existing under the laws of the State of Delaware and is authorized to do business in the State of Nebraska with its principal place of business at Scottsbluff, Nebraska. It is engaged in the telephone business as a common carrier furnishing local and long distance service in Nebraska.

2. United historically and presently is compensated for its investment and expenses incurred in providing intrastate toll service through a division of revenues type agreement with Northwestern Bell and indirectly with other independent telephone companies and AT&T. However, all such division of revenue agreements are being terminated on January 1, 1984, pursuant to the Modified Judgement Order in United States v. American Telephone and Telegraph Company and Western Electric Company, 552 F. Supp. 131 (D.D.C. 1982).

3. United calculates its intrastate toll revenue requirement to be \$2,738,000, an amount which represents the revenues it would have collected in 1984 covering intrastate toll investment and expenses had the division of revenues agreements not been terminated.

4. By its application, United requests approval of its filed tariff containing a system of access charges which are designed to recover the portion of said intrastate toll revenue requirement attributable to toll services provided between market service areas in Nebraska (intrastate, inter-LATA); United proposes to collect the portion of said intrastate toll revenue requirement attributable to toll services provided within market service areas in Nebraska (intra-state, intra-LATA) from intra-LATA toll settlements pursuant to an industry committee negotiated division of revenue agreement as set forth in the September 23, 1983 Memorandum of Understanding.

5. United proposes that its intrastate inter-LATA access charges be identical to (or "MIRROR"), in structure and rate level, its interstate access charges as filed with the Federal Communications Commission except that its intrastate inter-LATA end user (local subscriber) charge be calculated residually, based upon United's intrastate toll revenue requirement left unrecovered by inter-LATA access charges on carriers and intra-LATA toll settlements.

6. United calculates its annual revenues from its proposed inter-LATA carrier access charges to be \$903,295; it calculates its annual revenues from intra-LATA toll settlements to be \$1,736,548; and it calculates the amount to be recovered from end users to be \$98,147, or, \$ .33 per access line per month.

7. We find United's application to be fair and reasonable, to be in the public interest and should be granted except for United's proposed charge on end users which should be rejected.

## ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-464 be and it is hereby granted in part, and that United's access charge tariff filed herein is approved as filed effective for service rendered on and after January 1, 1984, except the portion or portions thereof providing for an end user charge.

IT IS FURTHER ORDERED that United file revised tariff sheets, as necessary to comply with this order.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of December, 1983.

NEBRASKA PUBLIC SERVICE COMMISSION

*Harold D. Simpson*  
Chairman

COMMISSIONERS CONCURRING:

ATTEST:

*Terrence L. Kuback*  
Executive Secretary