

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the matter of the application of)	Application No. C-609
AT&T Communications of the Midwest,)	
Inc., Omaha, Nebraska, for approval of)	
revisions and additions of its Channel)	
Digital Services Tariff, Wide Area)	GRANTED IN PART
Telecommunications Service Tariff and)	
Message Telecommunications Service)	
Tariff.)	Entered: January 28, 1986

APPEARANCES: For the applicant
Richard Peterson, Attorney
P.O. Bx 5526
Lincoln, Nebraska

W. Richard Morris, Attorney
10825 Old Mill Road
Omaha, Nebraska

For protestant MCI Telecommunications
Corporation
Jack L. Schultz, Attorney
P.O. Box 82028
Lincoln, Nebraska

For Protestant GTE Sprint
Richard J. J. Scarola, Attorney
45 Rockefeller Plaza
New York, New York

Kevin Colleran, Attorney
1900 First National Bank Building
Lincoln, Nebraska

OPINION AND FINDINGS

BY THE COMMISSION:

By its application filed September 13, 1985, AT&T Communications of the Midwest, Inc., Omaha, Nebraska seeks approval of revisions and additions of its Channel Digital Service Tariff, Wide Area Telecommunications Service and Message Telecommunications Service Tariff.

Notice of the filing of the application was published pursuant to the provisions of the Commission's Rules and Regulations. Protests to the application were filed by MCI and GTE Sprint.

Pursuant to notice required by law, public hearing was held on the application on December 18, 1985, at 9:00 a.m. in the Commission Hearing Room, Lincoln, Nebraska with appearances as set forth above.

Upon consideration of the application, the evidence presented at the hearing, and being fully advised, the Commission is of the opinion and finds that:

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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 furnishing communications service for hire in Nebraska intrastate commerce and is subject to the jurisdiction of this Commission.

2. Attached to the application and introduced in evidence as Exhibit No. 4 are copies of applicant's proposed tariff sheets.

3. Adrian P. Jaworski, Staff Manager of Pricing testified for the applicant. The proposed tariffs set forth a range of prices for each of applicant's services. Also included in the tariffs are price sheets which set forth the currently effective rates. In the proposed range of rates the minimum rate is a 50 per cent reduction in the present rate and the maximum rate is a 100 per cent increase over the present rate. Mr. Jaworski also testified that applicant would not decrease rates for any service to a level that would lower the revenue generated by the service below the cost of providing that service and will supply cost support information to the Commission upon request.

4. Protestants presented no direct evidence but counsel for GTE Sprint did cross-examine the applicant's witness. GTE Sprint attempted to show that applicant could deaverage its rates or cross-subsidize one service with another.

5. The evidence shows that the tariffs proposed herein do not permit any geographic deaveraging of rates. Applicant's witness indicated that the range of increase or reduction it proposes is based on ranges allowed other interexchange carriers.

6. Having considered all of the evidence, we find that it is reasonable that applicant be allowed to respond to competition by being allowed to reduce its rates up to 50 per cent on one day's notice. We find no compelling reason to also allow applicant to increase rates on one day's notice except to recover increases in access charges and/or billing costs which have been approved by the Commission for exchange carriers.

7. As modified above, the application is fair and reasonable, is in the public interest and should be granted in part.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that application No. C-609 be and it is hereby granted in part and AT&T Communications of the Midwest, Inc. be and it is hereby authorized to revise its tariffs as set forth in the Opinion and Findings herein.

IT IS FURTHER ORDERED that increases in the present rates under the tariff are allowed only to recover increases in access charges and/or billing costs which have been approved by the Commission for exchange carriers.

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


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MADE AND ENTERED in Lincoln, Nebraska, this 28th day of January, 1986.

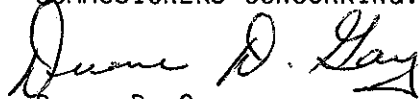
NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

ATTEST:


Executive Secretary

COMMISSIONERS CONCURRING:



Duane D. Gay
Bob Brayton
James F. Munnelly
Eric Rasmussen
Harold D. Simpson