

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of) Application No. C-801
Nebraska Public Service Commission)
Relator) Petition of Formal
vs.) Intervention - DENIED
The Lincoln Telephone and)
Telegraph Company, a Common Carrier)
Respondent) Entered: March 20, 1990

OPINION AND FINDINGS

BY THE COMMISSION:

By petition filed March 16, 1990, the Nebraska Telephone Association asked permission for Formal Intervention in the above described proceedings.

Petitioner is a nonprofit corporation organized under the laws of the State of Nebraska, a majority of whose members hold Certificates of Public Convenience and Necessity as telephone common carriers providing intrastate telecommunication services throughout the State of Nebraska.

Petitioner alleged an interest in this proceeding in that "Any proposal advanced by the Lincoln Telephone & Telegraph Company or any subsequent Order entered by this Commission pursuant to the above-captioned proceeding may have (sic) impact upon the EAS service offered by the Association members".

Furthermore, Petitioner alleged an interest in this proceeding because any Commission decision or proposal advanced in this matter will, out of necessity, impact the rule revision contemplated in the concurrent rule proceeding.

Upon consideration of the order to investigate LT&T, the evidence adduced in their petition and being fully advised, the Commission is of the opinion and finds that:

1. Petitioner has failed to claim an interest relating to the above captioned investigation and petitioner has failed to state sufficient grounds that it is so situated that the disposition of the action may as a practical matter impair or impede the petitioner's ability to protect that interest.

2. Specifically, the petition lacks standing because the movant has not stated an interest which may be directly affected by the outcome of the proceeding.

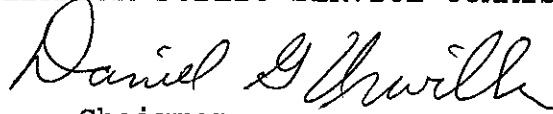
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ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that The Nebraska Telephone Association Petition to Intervene in C-801 be denied.

MADE AND ENTERED at Lincoln, Nebraska this 20th day of March 1990.

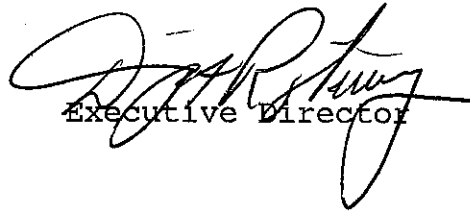
NEBRASKA PUBLIC SERVICE COMMISSION


Chairman

COMMISSIONERS CONCURRING:

//s//Duane D. Gay
//s//Frank E. Landis, Jr.
//s//James Munnelly
//s//Eric Rasmussen
//s//Daniel G. Urwiller

ATTEST:


Executive Director