

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission)	Application No. C-842
on its own motion to determine)	
the boundary between the Auburn)	ORDER
exchange of the Lincoln Telephone)	BOUNDARY DETERMINED
& Telegraph Company and the Tri)	
City exchange of the Southeast)	
Nebraska Telephone Company.)	Entered: May 14, 1992

BY THE COMMISSION

By docket filed August 7, 1990, the Commission on its own motion seeks to eliminate a duplicate service area and to determine the boundary between the Auburn exchange of the Lincoln Telephone & Telegraph Company, Lincoln, Nebraska ("LT&T") and the Tri City exchange of the Southeast Nebraska Telephone Company, Falls City, Nebraska ("Southeast").

Both LT&T and Southeast were notified of the docket and were directed to propose a revised boundary to eliminate the duplicate service area.

O P I N I O N A N D F I N D I N G S

Both telephone companies originally agreed the area in question should be included in Southeast's Tri City exchange and that one customer, Earl Hicks, should be allowed to continue to receive telephone service from LT&T's Auburn exchange (i.e., "grandfathered"). The proposal provided that if the customer moved or sold the property or business or the existing service was disconnected for any other reason, new service would then be provided solely by Southeast, the only exception being that the service could be transferred to another family member who is a member of the household at that time.

Hicks was notified of this proposal by certified mail February 11, 1992. Hicks notified the Commission February 20, 1992 by telephone that he did not agree with the proposal and that he no longer had need for service from the Tri City exchange (Hicks has dual service from both exchanges and a telephone for each exchange).

After personally examining the service area in question and reviewing the matter, Commission staff sent a letter to the parties March 19, 1992 proposing the duplicated area be assigned to LT&T. On March 30, 1992, the Commission received a letter from Southeast objecting to the staff proposal and requesting a hearing.

Notice of a public hearing was sent to the parties April 2, 1992. The hearing was scheduled for 10:30 a.m., May 6, 1992 in

Application No. C-842

Page -2-

the Richardson County Courthouse District Court Room, Falls City, Nebraska. Don Laney, Southeast's General Manager, subsequently notified the Commission that his company would accept the staff proposal and requested cancellation of the hearing. Notice of cancellation was sent to the parties May 5, 1992.

Upon consideration of the docket's contents and being fully advised, the Commission is of the opinion and finds a boundary has been agreed upon by all parties which eliminates the duplicate service area in question existing between the Auburn and Tri City exchanges. Both telephone companies should be ordered to file revised service area maps showing the area in question is in the Auburn exchange of LT&T.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that a boundary be, and it is hereby, determined in Application No. C-842 to eliminate the duplicate service area existing between the Auburn and Tri City exchanges of Lincoln Telephone & Telegraph and Southeast Nebraska Telephone Company, respectively, by placing the affected service area exclusively in the Auburn exchange.

IT IS FURTHER ORDERED that revised service area maps be filed by Lincoln Telephone & Telegraph and Southeast Nebraska Telephone Company placing the area in question in the Auburn exchange.

MADE AND ENTERED at Lincoln, Nebraska this 14th day of May, 1992.

NEBRASKA PUBLIC SERVICE COMMISSION

Commissioners Concurring:

Daniel S. Smith
James D. Gay
//s//Frank E. Landis, Jr.
//s//James F. Munnally
//s//Eric Rasmussen

James D. Gay
Chairman

ATTEST:

Pat R. Lutz
Executive Director