

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	Application No. C-1133
Steven and Mar-lynn Knigge, of Kim-)	
ball, Nebraska, receiving service)	
from the Dix exchange served by the)	MOTION TO HOLD IN
Dalton Telephone Company, seeking)	ABEYANCE GRANTED
authority to receive telephone serv-)	
ice from the Kimball exchange of the)	
Sprint/United Telephone Company.)	Entered: May 2, 1995

PRELIMINARY MATTERS

Steven and Mar-Lynn Knigge (the Applicants) of Kimball, Nebraska filed an application to revise the boundary between the Dalton Telephone Company (Dalton) and Sprint/United Telephone Company on December 5, 1994. Specifically, the applicants request a boundary change be made so as to allow them to obtain service from the Kimball exchange served by Sprint/United, as opposed to the service they currently receive from the Dalton Telephone Company in the Dix exchange. Notice of the application was published in the Omaha Daily Record on December 6, 1994 pursuant to the Commission's Rules and Regulations. A protest was received from Dalton on January 4, 1995. Dalton also served interrogatories on the Applicants, requesting responses be filed within thirty (30) days from January 4, 1995. The Applicants provided answers to Dalton's legal counsel on or about March 14, 1995.

BY THE COMMISSION

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

Dalton Telephone Company and Sprint/United are local exchange carriers operating in western Nebraska and are subject to the Commission's general regulation of common carriers. This application is governed specifically by Neb. Rev. Stats. § 75-604 to 75-616 (1994 Reissue). These statutes establish that if the telephone company or companies affected by the proposed boundary exchange do not object to the application, the application may be processed by modified procedure. In this case, Dalton has protested the application; therefore, the Commission will proceed with a hearing on the matter.

At this time, several Extended Area Service, (EAS), applications have been filed with the Commission. Dockets have been opened with Nebraska residents petitioning the Commission for EAS from Bushnell to Kimball, Potter to Dix, Potter to Sidney, Potter to Kimball, Gurley to Dalton, Dalton

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to Sidney and Dalton to Gurley. Additional information indicates that a petition is being, or may be, circulated within the Dix exchange concerning an EAS request to the Kimball exchange. Pending the outcome of such an application, the parties jointly motion the Commission to hold the present application in abeyance. The motion provides that the application will be held in abeyance until such time when the Commission or the Applicants or Protestant request a hearing be held on the matter.

Upon consideration of the motion and being fully advised, the Commission is of the opinion and finds the request is reasonable, is in the public interest and should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the motion to hold Application No. C-1133 in abeyance be and it is hereby granted.

IT IS FURTHER ORDERED that the Dalton Telephone Company and Steven and Mar-Lynn Knigge may at any time file with the Commission a motion to lift the abeyance and request a hearing be held on the matter.

IT IS FINALLY ORDERED that the Commission may on its own motion hold a hearing on the matter by providing both parties with adequate notice if deemed necessary and appropriate.

MADE AND ENTERED at Lincoln, Nebraska this 2nd day of May, 1995.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
//s//Rod Johnson
//s//Frank E. Landis
//s//James F. Munnelly
//s//Daniel G. Urwiller

Daniel G. Urwiller
Chairman

ATTEST:

Robert B. Logsdon
Executive Director