

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-1938  
of Richard L. Alexander of Ayr, )  
Nebraska, currently receiving )  
service from the Blue Hill ex- )  
change of Glenwood Telephone ) GRANTED AS AMENDED  
Membership Corporation, seeking )  
authority to receive telephone )  
service from the Hastings ex- )  
change of Aliant Communications )  
Company. ) Entered: April 14, 1999

APPEARANCES:

For the Applicant:  
John B. McDermott  
PO Box 460  
Grand Island, NE 68802

For Glenwood Telephone  
Membership Corporation:  
Charles W. Hastings  
PO Box 1044  
Hastings, NE 68902

For the Commission:  
John A. Doyle  
300 The Atrium  
1200 N Street  
Lincoln, NE 68508

BY THE COMMISSION:

On November 12, 1998, Richard Alexander of Ayr, Nebraska, filed an application to revise the exchange area boundary of the Blue Hill exchange of the Glenwood Telephone Membership Corporation (Glenwood) to receive services from the Hastings exchange of Aliant Communications Company (Aliant). Notice of the application was published in the The Daily Record, Omaha, Nebraska, on November 13, 1998, pursuant to the Commission's Rules.

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

Glenwood and Aliant are local exchange carriers operating in Nebraska and are subject to the Commission's general regulation of common carriers. Glenwood Telephone Membership Corporation filed a formal protest in this matter; therefore, a public hearing was held on January 20, 1999, in the Commission Hearing Room, Lincoln, Nebraska, with appearances as shown above.

The applicant, Richard Alexander, testified as follows: He built a new residence and is currently not receiving telephone service from any provider. He believes that Aliant service is approximately 100 yards from his new residence, where-

Application No. C-1938

Page 2

as Glenwood service is over a mile away. He believes that receiving service from Aliant will not cause a duplication of service. He is an attorney in Hastings and it is crucial that his clients are able to contact him at home. He believes that the revised exchange area is economically sound and will not affect other subscribers. Approximately 95 percent of his business takes place in Hastings; therefore, his community of interest exists in the Hastings exchange. He is willing to reimburse the affected company for any lost investment and will pay the affected company the cost of constructing new facilities.

Denise Alexander, testified as follows: She is the wife of the applicant. Ms. Alexander and her husband receive an average of 21 calls per week after hours. She also confirmed that her community of interest is in Hastings for her professional and social matters.

The protestant, Stanley Rouse, on behalf of Glenwood, testified as follows: He is the General Manager of Glenwood Telephone Membership Corporation. Glenwood is not currently providing service to the applicant's new residence. In order to provide service to the applicant's new residence, Glenwood would need to construct approximately one and one-half miles of new facilities. Granting this application would not cause Glenwood a loss of investment. Aliant is currently serving three other customers in Glenwood's service territory. None of these residents requested Glenwood service. Glenwood has never taken steps to provide service to these residents.

The Commission determined that the residences of Raymond Gangwish, Donald Robinson, and Kirk Shestak were being served by Aliant even though they were located in the service area of Glenwood. Therefore, the Commission, on its own motion, amended the application to include the above-named individuals in this docket.

Mr. Gangwish, Mr. Robinson, and Mr. Shestak filed affidavits in support of their desire to retain Aliant as their local provider and to have the boundary modified so that their property is within Aliant's exchange area. Therefore, the Commission finds that the boundary of the exchanges should be modified so that it accurately reflects the correct company that is providing service to these residences.

A map was drawn by the Commission illustrating the new placement of the boundary between the Hastings and Blue Hill exchanges. That map is attached hereto as Attachment A and made a part of this order.

Application No. C-1938

Page 3

On March 23, 1999, in light of the Commission's expanded scope of review, it sent a letter to Glenwood requesting them to file with the Commission any additional information for the reconsideration of this matter. The Commission also included a copy of Attachment A, a map of the proposed new boundary. By letter dated April 5, 1999, Mr. Hastings stated that Glenwood did not have any additional information regarding this matter.

Upon consideration of the application and being fully advised, the Commission is of the opinion and finds the application should be granted as amended as set forth in Attachment A.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-1938 be, and it is hereby, granted as amended.

IT IS FURTHER ORDERED that the exchange boundary is hereby modified as set forth in Attachment A.

IT IS FURTHER ORDERED that Glenwood Telephone Membership Corporation and Aliant Communications Company submit revised boundary maps to the Commission, pursuant to the map attached to this order, within 30 days from the date of this order.

MADE AND ENTERED at Lincoln, Nebraska, this 14th day of April, 1999.

COMMISSIONERS CONCURRING:

*Anne C. Boyle*

//s//Lowell C. Johnson  
//s//Frank E. Landis  
//s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION

*Lowell C. Johnson*  
Chairman

ATTEST:

*Robert R. Logsdon*  
Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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