

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application      ) Application No. C-1964  
of Aliant Communications Co. of        )  
Lincoln, Nebraska, seeking author-    )  
ity to discontinue intraLATA inter-    ) GRANTED  
exchange telecommunications service    )  
in certain exchanges in Nebraska.      ) Entered: June 15, 1999

APPEARANCES:

For the Applicant:  
Paul Schudel  
Attorney at Law  
206 S. 13th Street  
Lincoln, NE 68508

For the Commission:  
Chris A. Post  
Legal Counsel  
P.O. Box 94927  
Lincoln, NE 68509-4927

BY THE COMMISSION:

On December 22, 1998, an application was filed by Aliant Communications Company of Lincoln, Nebraska, seeking authority to discontinue intraLATA interexchange telecommunications service in certain exchanges in Nebraska. Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 22, 1999. Interventions were subsequently received from Clarks Telecommunications Company and Great Plains Communications. A public hearing was held on April 14, 1999, in the Commission Hearing Room, Lincoln, Nebraska, with appearances as shown above.

E V I D E N C E

In support of its application, Aliant produced one witness, Bill Ashburn, manager of wholesale marketing, who testified as follows:

Mr. Ashburn stated that Aliant is currently engaged in providing intraLATA interexchange telephone service in Nebraska; however, it desires at this time to withdraw intraLATA interexchange service in LATA 958 for the exchanges associated with Clarks Telecommunications Company, Diller Telephone Company, Glenwood Telephone Membership Corporation, Great Plains Communications, Hamilton Telephone Company, Henderson Cooperative Telephone Company, Northeast Nebraska Telephone Company and Southeast Nebraska Telephone Company (collectively the Connecting Companies).

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Mr. Ashburn testified that, to his knowledge, all of the connecting companies have successfully implemented dialing parity in their service areas. In conjunction with that conversion, Aliant gave notice to those companies and their customers that Aliant no longer wanted to provide intraLATA long distance service in those exchanges.

Mr. Ashburn stated that as part of the planned withdrawal, he reviewed the requirements of Neb. Rev. Stat. sec. 86-806, which lists the requirements for discontinuance of intraLATA interexchange service. He further stated he was of the opinion that Aliant had satisfied all of the requirements. Specifically, Aliant informed the Commission that they have not collected any prepaid subscription charges or other prepaid charges from any of its existing intraLATA interexchange customers. Therefore, no refunds need be given. Furthermore, all customers successfully obtained substitute service without any switching charges in conjunction with the implementation of dialing parity by the connecting companies.

No other parties introduced testimony or evidence at the hearing.

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

The Commission considers this application for authority in light of the Nebraska Statutes and the Commission's Telecommunications Rules and Regulations. According to Neb. Rev. Stat. sec. 86-806:

"[N]o telecommunications company which provides intrastate interexchange service or basic local exchange service may abandon or otherwise discontinue such service in or to a local exchange area which it serves unless: (1) The commission finds upon application and hearing that one or more other telecommunications companies are furnishing comparable service to the subscribers in such local exchange area at the time of abandonment; and (2) the telecommunications company discontinuing service to such local exchange area: (a) Notifies its subscribers in the local exchange area in writing of the abandonment, which notice shall be sent at least thirty days prior to the effective date of such abandonment; (b) Refunds any unused prepaid subscription charges or other unused prepaid charges to each customer in the local exchange area prior to the effective date of the abandonment; and (c)

Prior to the effective date of the abandonment, reimburses its customers in the local exchange area for service charges which its customers incur in obtaining substitute service from another telecommunications company or, in lieu thereof, pays other telecommunications companies directly for such service charges on behalf of its customers making changes in their services as a result of the abandonment."

After reviewing the testimony and exhibits filed herein, this Commission is of the opinion and finds that Aliant has satisfied the requirements of Neb. Rev. Stat. sec. 86-806 and should be allowed to withdraw from providing intraLATA interexchange telecommunications service in LATA 958 for the exchanges associated with Clarks Telecommunications Company, Diller Telephone Company, Glenwood Telephone Membership Corporation, Great Plains Communications, Hamilton Telephone Company, Henderson Cooperative Telephone Company, Northeast Nebraska Telephone Company and Southeast Nebraska Telephone Company.

## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Aliant Communications Company is hereby permitted to withdraw from providing intraLATA interexchange telecommunications service in LATA 958 for the exchanges associated with Clarks Telecommunications Company, Diller Telephone Company, Glenwood Telephone Membership Corporation, Great Plains Communications, Hamilton Telephone Company, Henderson Cooperative Telephone Company, Northeast Nebraska Telephone Company and Southeast Nebraska Telephone Company.

MADE AND ENTERED at Lincoln, Nebraska, this 15th day of June, 1999.

NEBRASKA PUBLIC SERVICE COMMISSION:

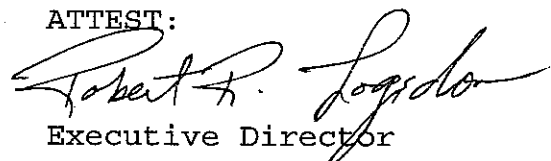
COMMISSIONERS CONCURRING:



//s//Frank E. Landis  
//s//Daniel G. Urwiller

  
Vice Chairman

ATTEST:

  
Executive Director

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