

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2677
of Eustis Acquisition Co., Inc.)
and Home Acquisition Co. Inc,)
both of Lincoln, Nebraska,) GRANTED
jointly seeking authority to)
merge Eustis Acquisition Co.,)
Inc. into Home Acquisition Co.,)
Inc.) Entered: April 2, 2002

BY THE COMMISSION:

On February 15, 2002, an application was filed by Eustis Acquisition Co., Inc. (Eustis) and Home Acquisition Co., Inc, (Home) both of Lincoln, Nebraska, jointly seeking authority to merge Eustis Acquisition Co., Inc. into Home Acquisition Co., Inc. Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 18, 2002. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

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

The Parties:

Eustis is a Nebraska corporation with its headquarters in Lincoln, Nebraska. Eustis was granted authority to provide local exchange service by this Commission on October 30, 2000, pursuant to Application No. C-2414. Eustis currently serves 539 access lines under its certificate.

Home is a Nebraska corporation with its headquarters in Lincoln, Nebraska. Home was granted authority to provide local exchange service by this Commission on October 30, 2000, pursuant to Application No. C-2415. Home currently serves 928 access line under its certificate.

The Transaction:

On February 22, 2002, Eustis and Home entered into a Merger Agreement relating to the subject exchanges. The parties jointly seek the issuance of a single Certificate of Public Convenience and Necessity for Home to include the merged properties of Eustis. According to the terms and subject to the conditions set forth in the Agreement, Eustis will transfer to Home, all of the physical assets and operations of its exchanges. After the transfer, Home will own, operate and manage the Eustis exchange.

Home has no present intention to increase the basic local exchange rate in the Eustis exchange, except as previously approved by the Commission with regard to Eustis. Home will continue to provide those products and services that the Eustis customers currently obtain from Eustis.

The applicant's application ask for a waiver of compliance in regards to Neb. Rev. Stat. §86-901, et seq (1999 Supp.). This statute applies to "slamming" rules in regards to changes in customers telecommunications service. The Commission is of the opinion that a transaction such as this does not require a waiver of the slamming statutes. Therefore, the Commission may approve the same as long as customers receive appropriate notice.

Based on the evidence, we find the application to be fair and reasonable and in the public interest. The application should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-2667 be, and it is hereby, granted.

MADE AND ENTERED at Lincoln, Nebraska, this 2nd day of April 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director