

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application    ) Application No. C-3028  
of NebCom, Inc., a wholly owned    )  
subsidiary of Northeast Nebraska    )  
Telephone Company, and Northeast    )  
Nebraska Telephone Company        ) GRANTED  
seeking to Transfer Authority       )  
granted to NebCom, Inc. in C-       )  
1446 to Northeast Nebraska        )  
Telephone Company.                 ) Entered: November 25, 2003

BY THE COMMISSION:

On October 6, 2003, NebCom, Inc. (NebCom) and Northeast Nebraska Telephone Company (NNTC) filed a joint application for authority to assign and transfer the authority granted by the Application in C-1446 from NebCom to NNTC. Notice of the application was published in The Daily Record, Omaha, Nebraska October 8, 2003. No protests or formal interventions were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure, Rule 18.03.

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

NebCom and NNTC are Nebraska corporations with their principal offices located at 110 East Elk Street, Jackson, Nebraska. NNTC holds a Certificate of Public Convenience and Necessity from this Commission to provide local exchange services within Nebraska. On May 21, 1996, this Commission granted Application No. C-1311, which authorized US West to sell and transfer certain exchanges to purchasers, including NNTC. Pursuant to the application, NNTC acquired the exchanges of Allen-Waterbury, Butte, Decatur, Long Pine, Spencer-Bristow, Stuart and Winside and was awarded a Certificate of Public Convenience and Necessity to provide telecommunications services to the subscribers in each of the exchanges.

On June 4, 1996, the Commission granted Application No. C-1329, which authorized NNTC to issue long-term indebtedness in favor of the Rural Telephone Finance Cooperative in the amount of \$9,030,000, and further authorized NNTC to use such funds to partially finance the acquisition of exchanges from US West.

NebCom is a wholly owned subsidiary of NNTC, which was formed to acquire from NNTC the right to purchase the physical assets and operate the US West exchanges identified above. NebCom has the same officers, directors, management, and staff that operate NNTC.

On November 19, 1996, NNTC and NebCom filed Application No. C-1446 seeking authority to assign and transfer the authority granted by the Commission in Application Nos. C-1311 and C-1329 from NNTC to NebCom. On December 17, 1996, the Commission granted Application No. C-1446 and assigned and transferred the authority granted by the Commission from NNTC to NebCom.

NebCom is in the process of affecting a statutory dissolution, at which time all of its assets and liabilities will be transferred by operation of law to its parent, NNTC. NebCom, by this application, requests the Commission to assign and transfer all of the authority granted to it in Application No. C-1446 to NNTC. NNTC, by this application, advises the Commission that it is willing to accept and receive the assignment and transfer of authority from NebCom. NNTC has the same officers, directors, management and staff that operate NebCom.

NNTC, as the parent of NebCom, its wholly owned subsidiary, is technically, financially and managerially capable of providing services to the subscribers of NebCom identified above. Therefore, we find that NNTC should be issued a Certificate of Public Convenience and Necessity for the exchanges identified above.

In its application, NNTC indicates that it has no present intention to increase the overall rate for local service as a result of the transfer and assignment described herein.

Upon consideration of the application, Neb. Rev. Stat. §75-320 and the rules of the Commission, and being fully informed, the Commission is of the opinion and finds the assignment and transfer of the authority granted in Application No. C-1446 is consistent with the public interest and does not unduly restrict competition. NNTC is fit, willing and able to perform the service proposed and the application should be granted.

#### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3028 be, and it is hereby granted and the authority granted by the Commission in Application No. C-1446 be, and it is hereby assigned and transferred from NebCom, Inc., to Northeast Nebraska Telephone Company.

IT IS FURTHER ORDERED that Northeast Nebraska Telephone Company shall notify in writing the subscribers of NebCom, Inc.,

before it commences to provide service to such subscribers, that their local service is being transferred from NebCom, Inc. to Northeast Nebraska Telephone Company, pursuant to an application approved by the Nebraska Public Service Commission, and that they may transfer their service to another carrier, if available, without charge to the subscriber.

IT IS FURTHER ORDERED that Northeast Nebraska Telephone Company shall file annually, in accordance with the applicable statutes, a report with the Commission consisting of a copy of any reports filed with the Federal Communication Commission and the Security and Exchange Commission.

MADE AND ENTERED at Lincoln, Nebraska this 25th day of November, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director