

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3485
of Larry and Barb Wilshusen, of)
2304 E 29 Road, Hordville,)
seeking authority to receive) ORDER OF PENDING DISMISSAL
telephone service from the)
Hamilton Telecommunications)
Telephone Company, Aurora.)
) Entered: April 18, 2006

BY THE COMMISSION:

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

On September 20, 2005, the Nebraska Public Service Commission (Commission) received an application from Larry and Barb Wilshusen of 2304 East 29 Road, Hordville, seeking authority to receive telephone service from Hamilton Telecommunications Telephone Company (Hamilton). The Wilshusens reside within the Polk exchange and receive telephone service from the Alltel Telephone Company (Alltel). The Wilshusens desire to receive broadband Digital Subscriber Line (DSL) service not currently offered by their current service provider, Alltel.

On September 27, 2005, Hamilton notified the Commission that they would provide telecommunications to the Wilshusens via its Hordville exchange at no direct cost for construction and installation. On October 24, 2005, Alltel notified the Commission that it did not support the proposed boundary change and denied the request for voluntary relinquishment of the Wilshusens from its service area. Alltel further stated that it had no objections to the Wilshusens receiving broadband DSL Internet service from Hamilton via wireline facilities.

On October 28, 2005, Myron and Rhonda Hanquist of 2306 East 29 Road, Hordville, joined in the application of the Wilshusens seeking the same authority to receive telephone service from Hamilton (hereinafter both Wilshusens and Hanquists referred to as "Applicants"). On December 5, 2005, Alltel informed the Commission that it did not support the proposed boundary change of the Hanquists and denied the request for voluntary relinquishment of the Hanquists from its service area. Alltel reiterated that it had no objection to Applicants receiving broadband DSL Internet service from Hamilton.

Subsequently, the Commission was informed that Hamilton was not currently interested in providing exclusively DSL service to the Applicants. In a letter sent to the Applicants by the

Director of the Commission's Communications Department, Gene Hand, the Applicants were asked to inform the Commission as to how they wished to proceed in their application. As of the date of this order, the Commission has received no response or communication of any kind from any of the Applicants. Therefore, we find that a deadline for action to be taken by the Applicants in this docket should be set. If the Commission receives no communication or response from the Applicants concerning a course of action in this docket by **May 8, 2006**, the Commission will dismiss the application for failure to take timely action by the Applicants.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that a deadline for communication or response indicating further action in Docket C-3485 from Larry and Barb Wilshusen or Myron and Rhonda Hanquist be and is hereby set for May 8, 2006.

IT IS FURTHER ORDERED that if the Applicants fail to take action by May 8, 2006 in Docket C-3485, the Commission will exercise its authority to enter an order dismissing the application.

MADE AND ENTERED at Lincoln, Nebraska, this 18th day of April, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director