

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Joint) Application No. C-3545
Application of Alltel Nebraska,)
Inc., ALLTEL Communications of)
the Midwest, Inc. and ALLTEL) PETITION DENIED
Systems of the Midwest, Inc. for)
Authority to Issue)
Collateralized Guaranties of)
Long Term Indebtness.)
) Entered: March 21, 2006

BY THE HEARING OFFICER:

By Application filed January 24, 2006, Alltel Nebraska, Inc., ALLTEL Communications of the Midwest, Inc. and ALLTEL Systems of the Midwest, Inc. (collectively referred to as the Alltel Affiliates or the applicants) jointly seek authority to Issue Collateralized Guaranties of Long Term Indebtness. Notice of this application was published in the Daily Record, Omaha, Nebraska on January 27, 2006. A Petition of Formal Intervention (Petition) was filed by the Communications Workers of America (CWA) on March 13, 2006. A response to the Petition of Formal Intervention was filed by the applicants on March 17, 2006.

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

Section 15.01B of the Commissions Rules of Procedure in Title 291 Neb. Admin. Code Chapter 1, provides that a petition for formal intervention shall be filed with the Commission within the time specified for the filing of a formal protest. A protest must be filed with the Commission within thirty days from the date of publication.¹ The CWA Petition was after the thirty day protest period expired and was thus filed out of time. In addition, an alternative manner of participation is still available to the CWA through the informal intervention process. Accordingly, the Petition for Formal Intervention is denied.

The CWA still has an opportunity to file a petition of informal intervention pursuant to § 15.02 of Title 291 Neb. Admin. Code, Chapter 1, if such petition is filed no later than fifteen days prior to the April 18, 2006 hearing date and if such petition otherwise comports with § 15.02 of the Commission's Rules of Procedure.

¹ Title 291 Neb. Admin. Code, Chapter 1, § 14.02.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer in the above-captioned matter that the Petition of Formal Intervention of the Communications Workers of America is denied.

MADE AND ENTERED at Lincoln, Nebraska this 21st day of March, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

By: _____
Frank E. Landis
Hearing Officer