

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3957
of Scott Bousquet, Hubbard,)
Nebraska, seeking authority to)
receive telephone service from) GRANTED
the Jackson exchange of the)
Northeast Nebraska Telephone)
Company.) Entered: October 21, 2008

BY THE COMMISSION:

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

By Application filed September 8, 2008, Scott Bousquet, Hubbard, Nebraska, seeks authority to change the boundary area to receive telephone service from the Jackson exchange of Northeast Nebraska Telephone Company (Northeast) in lieu of what is currently considered the service area of Qwest Corporation (Qwest). Notice of the application was published in The Daily Record, Omaha, Nebraska, on September 11, 2008. No protests or formal interventions were filed; therefore, the Commission processes this application pursuant to its rule of Modified Procedure.

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

Northeast and Qwest are local exchange carriers holding certificates of public convenience and necessity to provide local exchange service in their respective territories. Scott Bousquet is a resident of Hubbard located within the boundaries of the Jackson exchange and has built a livestock feeding facility east of their residence which is located in the Qwest Dakota City exchange. Mr. Bousquet has requested a boundary change so that he may receive local exchange service from Northeast at the livestock feeding facility consistent with his service at his residence.

The Qwest Dakota City exchange is part of a Study Area established by the FCC and frozen on November 15, 1984, under 47 CFR Part 36 Appendix. Permanent changes to the study area require the approval of the FCC. Qwest has notified the Commission that absent the frozen study area issue it does not oppose the Bousquet's receipt of telecommunications service from Northeast. Northeast has agreed to provide service to Mr. Bousquet at his livestock feeding facilities.

Because of the uncertainty of the time required for the Commission to obtain the necessary approvals from the FCC for a

traditional boundary change, and the need for Mr. Bousquet to have telecommunications service for the operation of his facility, the Commission has proposed and both carriers have agreed to the designation of the NE1/4 of Section 12, Township 28N, Range 7 East as a dual service area until such time as the Commission can obtain the approvals of the FCC for the necessary boundary change.

Changes of a local exchange territory are governed by *Neb. Rev. Stat.* §§ 86-135 to 86-138. Section 86-135 states that only upon non-consent of all telephone carriers involved shall the Commission hold a public hearing in the application. With no protest filed by any party and with each of the affected local exchange carriers consenting to the necessary change, the Commission processes this application administratively and without a public hearing.

The Commission finds that, in light of the agreement between all parties involved, the application is in the public interest and should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3957 be, and it is hereby, granted.

IT IS FURTHER ORDERED that Northeast Nebraska Telephone Company will submit a revised boundary map show the described area as dual service within 30 days from the date of this Order. Qwest Corporation will submit a revised boundary map to the Commission within 30 days from the date the FCC approves a boundary change of the affected area.

MADE AND ENTERED at Lincoln, Nebraska, this 21st day of October, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-3957

Page 2

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NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. Up

Steve Lander
Chair

Reed Johnson

Tim Schram

ATTEST:

Thil R. J.
Executive Director

//s// Frank E. Landis