

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-4894  
of Henderson Coop Telephone, Co. )  
d/b/a Mainstay Communications, )  
Henderson, seeking a waiver of ) GRANTED  
the requirement of 291 NAC 5, )  
§002.06 regarding public pay )  
stations. ) Entered: March 21, 2017

BY THE COMMISSION:

On February 2, 2017, a request from Henderson Coop Telephone, Co. ("Company"), Henderson, Nebraska, was filed with the Nebraska Public Service Commission ("Commission") for a waiver of the requirement contained in Title 291 NAC Ch.5, Rule 002.06 of the Commission's Telecommunications Rules and Regulations regarding public pay stations. Notice of the waiver request was published in The Daily Record, Omaha, Nebraska, on February 7, 2017. No protests were filed to the waiver sought by the Company; therefore, this docket 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

Henderson Coop Telephone, Co., is a local exchange carrier holding a certificate of public convenience and necessity to provide local exchange service in the State of Nebraska. Title 291 NAC Ch.5, Rule 002.06 of the Commission's Telecommunications Rules and Regulations states,

In each municipality served by an exchange carrier where public convenience requires it, the exchange carrier shall supply at least one public pay station that will be available to the public on a 24-hour basis. The requirement for this facility may be waived by the Commission for reasons such as: abusive vandalism or damage, excessive cost of maintaining the pay station, or lack of use.

In its February 2, 2017 letter, Henderson Coop Telephone, Co. seeks a waiver of the Commission's rule to maintain a public pay station in the community of Plainview.

The Company states in support of its waiver request two reasons why the Commission should grant the requested waiver: 1) low usage; 2) excessive cost. There has been no usage of the pay station in the past five years while it cost the Company \$27.50 to operate the stations a month, resulting in a significant loss to the Company. Additionally, the pay station is in need of

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replacement, at the cost of \$329.00 with no reason to expect increased usage to defray this cost.

Upon consideration of the waiver request, the Commission is of the opinion and finds that in light of the reasons cited by Henderson Coop Telephone, Co., including lack of use and excessive cost, the requested waiver is reasonable and should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the waiver of Title 291 NAC Ch.5, Rule 002.06 sought by Henderson Coop Telephone, Co., be, and is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 21st day of March, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Mary Riddell*

*Crystal Inoades*

*Frank E. Landis*

*Tim Schram*

Chairman

ATTEST:

*Jeffrey L. Puley*

Executive Director

//s//Frank E. Landis

//s//Tim Schram