

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	Application No. C-4908
Application of Benkelman)	
Telephone Company, Wauneta)	
Telephone Company and Hartman)	
Telephone Exchanges, Benkelman,)	GRANTED
seeking a waiver of the)	
requirement of 291 NAC 5,)	
\$002.06 regarding public pay)	
stations.)	Entered: May 16, 2017

BY THE COMMISSION:

On March 17, 2017, a request from Benkelman Telephone Company, Wauneta Telephone Company and Hartman Telephone Exchanges ("BWTelecom"), Benkelman, 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 March 22, 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

BWTelecom 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 March 10, 2017 letter, BWTelecom seeks a waiver of the Commission's rule to maintain a public pay station in the communities of Benkelman, Max, Wauneta, Haigler, Lebanon, and Danbury.

BWTelecom states in support of its waiver request the following reasons why the Commission should grant the requested

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waiver: 1) excessive cost, the average cost to maintain each pay station annually is around \$500 per station for each of the six (6) stations and 2) one Benkelman payphone brought in \$13.90 in 2011 and \$10.75 in 2017 when the coin boxes were collected. No other payphones located in the other locations returned any revenue. BWTelecom does not intend to relocate the pay stations and therefore has no moving costs associated with this request.

Upon consideration of the waiver request, the Commission is of the opinion and finds that in light of the reasons cited by BWTelecom, including excessive cost and negligible revenue, 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 Benkelman Telephone Company, Wauneta Telephone Company and Hartman Telephone Exchanges, be, and is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 16th day of May, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Mary Riddis

Crystal Knodes

//s//Frank E. Landis

//s//Tim Schram

Tim Schram

Chairman

ATTEST:

LeRoy I. Pule

Executive Director