

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the	)	Application No. C-4909
Application of Diller Telephone	)	
Company, Diller, seeking a	)	
waiver of the requirement of	)	GRANTED
291 NAC 5, §002.06 regarding	)	
public pay stations.	)	Entered: May 16, 2017

BY THE COMMISSION:

On March 20, 2017, a request from Diller Telephone Company, ("Diller"), Diller, 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 23, 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

Diller 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 14, 2017 letter, Diller seeks a waiver of the Commission's rule to maintain a public pay station in the communities of Diller, O'Dell, and Virginia.

Diller states in support of its waiver request the following reasons why the Commission should grant the requested waiver: 1) excessive cost, the average cost to maintain each pay station annually is around \$597 per station for each of the three (3) stations; 2) no revenues or usage from 2012 through March 1, 2017 for any of the pay stations; and 2) general maintenance costs to replace broken handsets and handset cords runs between \$200 and \$250 per year. Diller does not intend to relocate the pay stations and therefore has no moving costs associated with this request.

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Upon consideration of the waiver request, the Commission is of the opinion and finds that in light of the reasons cited by Diller, including excessive cost, no revenue, and no usage, 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 Diller Telephone Company, be, and is hereby, granted.

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

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*May Reder*

*Cystal Snodgrass*

//s//Frank E. Landis

//s//Tim Schram

*Tim Schram*

Chairman

ATTEST:

*Jeffrey L. Puley*

Executive Director