

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application)	Application No. C-4973
of Keith Skrdlant, Doniphan,)	
seeking authority to receive)	
advanced telecommunications)	GRANTED
service from the Doniphan)	
Exchange of Hamilton Telephone)	
Company.)	Entered: July 10, 2018

BY THE COMMISSION:

On March 2, 2018, an application was filed by Keith Skrdlant, of Doniphan, Nebraska, seeking authority to change the exchange boundary to receive advanced telecommunications service from the Doniphan Exchange of Hamilton Telephone Company in lieu of service from Windstream. Notice of the application was published in The Daily Record, Omaha, Nebraska, on March 6, 2018.

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

Hamilton Telephone Company ("Hamilton") and Windstream are local exchange carriers holding certificates of public convenience and necessity to provide local exchange service in their respective territories. Keith Skrdlant resides within the boundary of Windstream's Hanson Exchange, and has requested a boundary change so he may receive advanced telecommunications service from the Doniphan Exchange of Hamilton. Windstream has notified the Commission it opposes the proposed boundary change.

Changes of a local exchange territory are governed by Neb. Rev. Stat. §§ 86-135 to 86-138. Section 86-135 states only upon non-consent of all telephone carriers involved shall the Commission hold a public hearing in the application. With a protest filed by Windstream opposing the proposed boundary change, the Commission held a public hearing on June 20, 2018, in Doniphan, Nebraska.¹

Keith Skrdlant requested the proposed boundary change because without a phone line on the property, Hamilton cannot provide internet service.² Currently, Windstream is not providing telephone service to Mr. Skrdlant. Mr. Skrdlant relies on his wireless carrier, Verizon, for telephone service. Mr. Skrdlant testified he was a former Hamilton customer. When he moved back to his current residence, he requested advanced telecommunications service from Windstream. He was notified that the line to connect Internet

¹ Notice of the Hearing was mailed to the interested parties on May 16, 2018.

² A copy of Mr. Skrdlant's Application was made part of the record as Exhibit No. 3.

service was roughly a mile south of where he lived and therefore Internet service was not available to his residence. Because he was informed Windstream could not provide Internet service to his residence, Mr. Skrdlant testified he filed the present application in March. Mr. Skrdlant further testified he preferred to have Hamilton serve him because he has had Hamilton service in the past.

Windstream does not consent to the boundary change because Windstream states it has plans to deploy broadband and serve Keith Skrdlant with fixed wireless service. Specifically, Windstream will be submitting an NUSF-99 Broadband Application that will allow Windstream to provide broadband service to Keith Skrdlant as well as other homes in that general vicinity. Windstream is committed to this project irrespective of whether or not NUSF support is provided by the Commission.

Windstream stated nothing prevents Hamilton from providing advanced telecommunications service to Keith Skrdlant. Windstream contended a boundary change is not required for Hamilton to provide the services sought. According to Windstream, granting a boundary exchange allows Hamilton to distort the Federal Universal Service Fund ("USF") funding mechanisms.

We find Mr. Skrdlant is not receiving reasonable advanced telecommunications capability from the telecommunications company which furnishes telecommunications service in the local exchange area in which he resides. We further find Windstream's inchoate plans to provide advanced telecommunications service to this area using a fixed wireless product insufficient to persuade us to deny Mr. Skrdlant's request. Accordingly, we find that, in light of the evidence provided at the hearing, the application should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-4973 be, and it is hereby, granted.

IT IS FURTHER ORDERED that the revised exchange boundaries detailed in Attachment "A" to this Order be, and are hereby made, the official boundaries of Hamilton and Windstream.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 10th day
of July, 2018.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Crystal Knodes

Mary Ridder
Chair

Tim Schram

ATTEST:




Steve Krutz
Deputy Director

//s//Frank E. Landis
//s//Mary Ridder

Attachment A

Hamilton Telephone Co.
Doniphan Exchange

Windstream Nebraska, Inc.
Hansen Exchange

-  Area of Change - C-4973
-  New Exchange Boundaries
-  County Boundaries



Doc. Name: 180222_Skrdlant_BC_WS_Hamilton
Prepared by: NE PSC - Telecommunications

Date: 7/3/2018

