

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

|                                  |   |                         |
|----------------------------------|---|-------------------------|
| In the Matter of the Application | ) | Application No. C-5017  |
| of Benjamin Harmon, Giltner,     | ) |                         |
| seeking authority to receive     | ) |                         |
| advanced telecommunications      | ) | GRANTED                 |
| service from the Trumbull        | ) |                         |
| Exchange of Hamilton Telephone   | ) |                         |
| Company.                         | ) | Entered: March 12, 2019 |

BY THE COMMISSION:

On November 26, 2018, an application was filed by Benjamin Harmon of Giltner, Nebraska ("Applicant"), seeking authority to change the exchange boundary to receive advanced telecommunications service from the Trumbull Exchange of Hamilton Telephone Company ("Hamilton") in lieu of service from Windstream Services, LLC ("Windstream"). Notice of the application was published in The Daily Record, Omaha, Nebraska, on November 29, 2018.

E V I D E N C E

On January 14, 2019, Windstream filed with the Commission a letter stating that it opposed the application for boundary change. Pursuant to Neb. Rev. Stat. § 86-135, a hearing was held in this matter on March 6, 2019, at the Doniphan Event Center in Doniphan, Nebraska, concurrently with hearings in C-5003, C-5004, C-5005, C-5007, and C-5010. Benjamin Harmon appeared without counsel. Mary Jacobson appeared on behalf of Windstream. Pat Shaw testified on behalf of Hamilton, but was not represented by counsel. Sallie Dietrich and Shana Knutson appeared on behalf of Commission staff.

Commission exhibits numbered 1 - 10 were offered and accepted. These exhibits included Exhibit 6, consisting of Mr. Harmon's application, and Exhibit 8, including a letter from Hamilton stating that Hamilton consents to the boundary change, and that it will pay construction and costs for the change. Additionally, Exhibit 11 was offered by the Applicant in Docket No. C-5004 and accepted into the record.

Testimony was offered by the Applicant, by Brad Hedrick, President of Operations, on behalf of Windstream, and by Pat Shaw, General Manager, on behalf of Hamilton. Each party was afforded an opportunity for cross-examination of the other party.

Following the hearing, on March 7, 2019, Stephen Meradith, Regional VP for Windstream, notified the Commission that Windstream no longer opposed the application.

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

Hamilton and Windstream are local exchange carriers holding certificates of public convenience and necessity to provide local exchange service in their respective territories. Benjamin Harmon seeks service to his house, which resides within the boundary of Windstream's Hansen Exchange, and has requested a boundary change so that he may receive advanced telecommunications service from the Trumbull Exchange of Hamilton. Both Windstream and Hamilton consent to the boundary change application.

The Commission staff has modified the CenturyLink and Hamilton local exchange maps to show the boundary change to the Hordville and Central City Exchanges. Copies of the exchange maps with the proposed revisions are attached as Attachment "A" to this Order and hereby incorporated for reference. If either company has objections or changes to the proposed boundary map, it may contact the Commission on or before March 29, 2019 with said objections or changes. If the Commission receives no objections or changes from either Windstream or Hamilton by close of business on March 29, 2019, the boundary maps will be modified as proposed in Attachment "A".

The Commission finds that, in light of the consent between the parties involved, the application is in the public interest and should be granted. It is the expectation of the Commission that the two carriers involved in the boundary change shall collaborate in good faith to ensure that the transition of the customer's service from one carrier to the other shall be as seamless as possible.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-5017 be, and it is hereby, granted.

IT IS FURTHER ORDERED that on or before March 29, 2019, the parties to this docket shall contact the Commission with any concerns or proposed modifications regarding the boundaries depicted in Attachment "A" to this order. If no such objection is received from Windstream or Hamilton by close of business on the above-listed date, the boundary as shown in Attachment "A" to this Order shall be the official boundary of the two telecommunications companies.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 12th day of March, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Crystal Knocades*  
*[Signature]*  
*Don Waterman*  
*Tim Schram*





*Mary Riddis*  
Chair

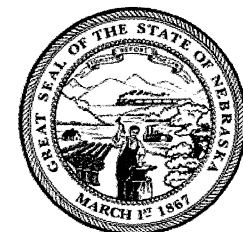
ATTEST:

*Phil S. H. [Signature]*  
Executive Director

# Attachment A (1 of 2)

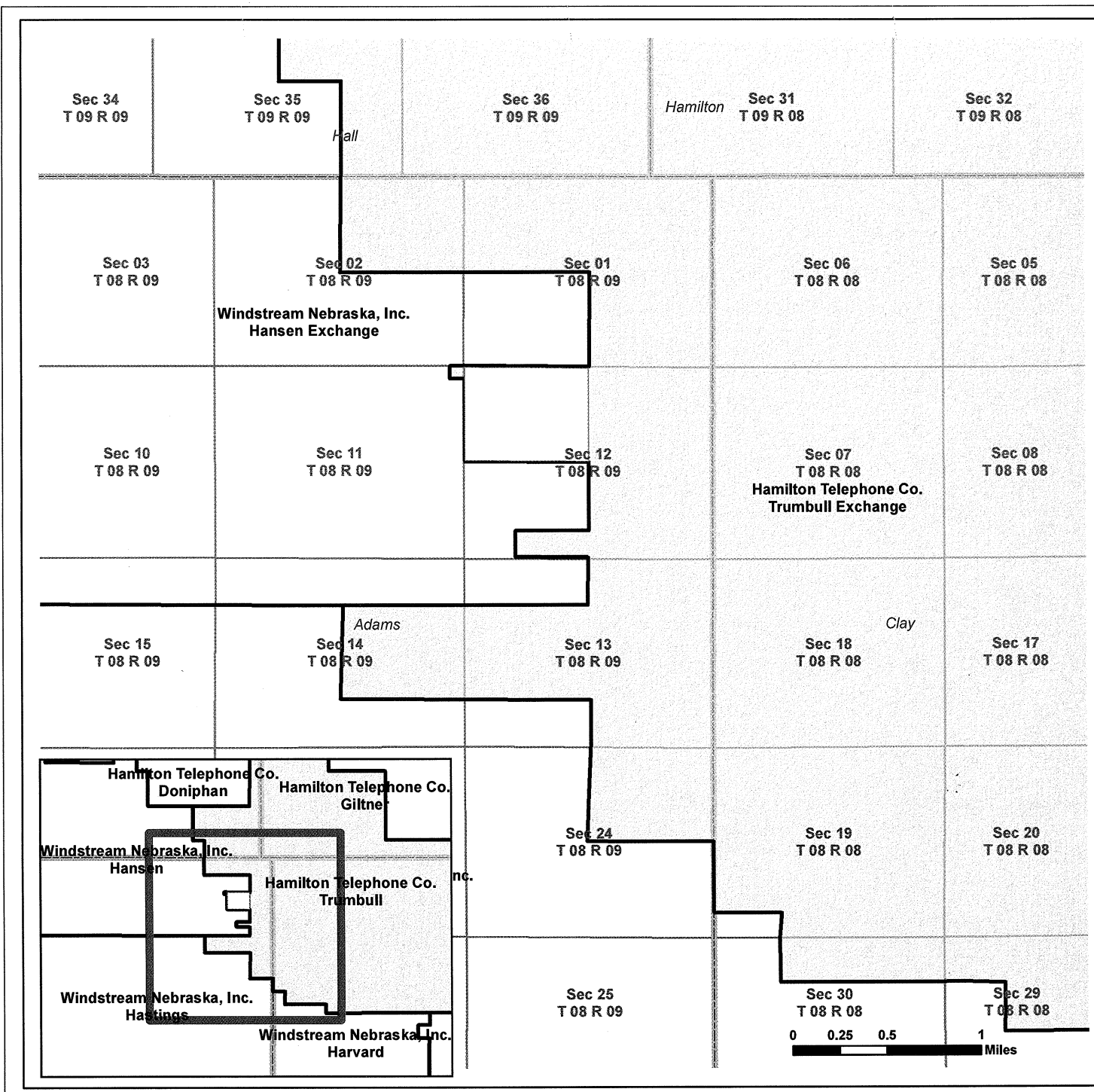
## Hamilton Telephone Co. Trumbull Exchange

-  Area of Change - C-5017
-  New Trumbull Boundary
-  New Exchange Boundaries
-  County Boundaries







Doc. Name: 190311\_Harmon\_BC\_Hamilton\_WS  
Prepared by: NE PSC - Telecommunications

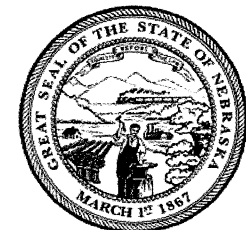
Date: 3/11/2019



# Attachment A (2 of 2)

## Windstream Nebraska Inc. Hansen Exchange

-  Area of Change - C-5017
-  New Hansen Boundary
-  New Exchange Boundaries
-  County Boundaries



Doc. Name: 190311\_Harmon\_BC\_Hamilton\_WS  
Prepared by: NE PSC - Telecommunications

Date: 3/11/2019

