

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-5023  
of Three River Telco, Lynch, )  
seeking a waiver of the )  
requirement of 291 NAC 5, ) GRANTED  
§002.06 regarding public pay )  
stations. )  
Entered: January 23, 2019

BY THE COMMISSION:

On December 14, 2018, a request from Three River Telco, ("Three River"), Lynch, 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 December 19, 2018. 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

Three River 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 letter dated December 10, 2018, Three River seeks a waiver for two payphones, one located in the exchange of Lynch and one located in the exchange of Springview.

Three River, in support of its waiver, stated as follows: 1) the last dial around revenue the company received was \$.49 in January of 2016; 2) there has been no coin revenue from the pay stations in the past two years; 3) the company's cost for maintaining the two pay stations was \$1,194, a cost that will continue to increase due to the age of the pay stations.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-5023

Page 2

Upon consideration of the waiver request, the Commission is of the opinion and finds that in light of the reasons cited by Three River, 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 Three River Telco be, and is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 23<sup>rd</sup> day of January, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Cystal Snodgrass*

*Mary Redden*

Chair

*Don Wotomura*

ATTEST:

*Tim Schram*

*Michael H. S.*

Executive Director