

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Formal)	Application Nos. FC-1348
Complaint of AT&T Communications)	
of the Midwest, Inc., Denver,)	
Colorado, v. Arapahoe Telephone)	
Company, Blair; Benkelman)	
Telephone Company, Inc.,)	
Benkelman; Cambridge Telephone)	
Company, Cambridge; Cozad)	
Telephone Company, Cozad; Diller)	
Telephone Company, Diller;)	
Eastern Nebraska Telephone)	
Company, Blair; Great Plains)	
Communications, Inc., Blair;)	
Hartington Telecommunications)	
Company, Inc., Hartington;)	ORDER DISMISSING COMPLAINT IN
Hartman Telephone Exchanges,)	PART
Inc., Benkelman; Henderson)	
Cooperative Telephone Company,)	
Henderson; Hershey Cooperative)	
Telephone Company, Hershey;)	
Hooper Telephone Company, Hooper;)	
Northeast Nebraska Telephone)	
Company, Jackson; Rock County)	
Telephone Company, Blair;)	
Southeast Nebraska)	
Communications, Inc., Falls City;)	
Three River Telco, Lynch; and)	
Wauneta Telephone Company,)	
Benkelman; alleging unfair and)	
unreasonable intrastate switched)	
access rates and inefficient)	
network architecture.)	
)	
In the Matter of the Formal)	Application No. FC-1350
Complaint Cambridge Telephone)	
Company, Cambridge, Nebraska, v.)	
AT&T Communications of the)	
Midwest, Inc. a/k/a AT&T, Olathe,)	
Kansas, alleging failure to pay)	
for intrastate switched access)	
services.)	
)	
In the Matter of the Formal)	Application No. FC-1351
Complaint Eastern Nebraska)	
Telephone Company, Blair,)	
Nebraska, v. AT&T Communications)	
of the Midwest, Inc. a/k/a AT&T,)	
Olathe, Kansas, alleging failure)	
to pay for intrastate switched)	
access services.)	
)	
In the Matter of the Formal)	Application No. FC-1352
Complaint Great Plains)	

Communications, Inc., Blair,)
 Nebraska, v. AT&T Communications)
 of the Midwest, Inc. a/k/a AT&T,)
 Olathe, Kansas, alleging failure)
 to pay for intrastate switched)
 access services.)

In the Matter of the Formal) Application No. FC-1355
 Complaint Northeast Nebraska)
 Telephone Company, Jackson,)
 Nebraska, v. AT&T Communications)
 of the Midwest, Inc. a/k/a AT&T,)
 Olathe, Kansas, alleging failure)
 to pay for intrastate switched)
 access services.)

In the Matter of the Formal) Application No. FC-1356
 Complaint Rock County Telephone)
 Company, Blair, Nebraska, v. AT&T)
 Communications of the Midwest,)
 Inc. a/k/a AT&T, Olathe, Kansas,)
 alleging failure to pay for)
 intrastate switched access)
 services.) Entered: September 7, 2011

BY THE COMMISSION:

On November 17, 2010, a Formal Complaint was filed with the Nebraska Public Service Commission ("Commission") by AT&T Communications of the Midwest, Inc. ("AT&T"), Denver, Colorado, against Arapahoe Telephone Company; Benkelman Telephone Company, Inc.; Cambridge Telephone Company; Cozad Telephone Company; Diller Telephone Company; Eastern Nebraska Telephone Company; Great Plains Communications, Inc.; Hartington Telecommunications Company, Inc.; Hartman Telephone Exchanges, Inc.; Henderson Cooperative Telephone Company; Hershey Cooperative Telephone Company; Hooper Telephone Company; Northeast Nebraska Telephone Company; Rock County Telephone Company; Southeast Nebraska Communications, Inc.; Three River Telco; and Wauneta Telephone Company. That Formal Complaint was docketed by the Commission as Application No. FC-1348.

On January 4, 2011, the Commission entered an order dismissing Arapahoe Telephone Company, Benkelman Telephone Company, Inc., Cozad Telephone Company, Diller Telephone Company, Hartman Telephone Exchanges, Inc., Henderson Cooperative Telephone Company, Hershey Cooperative Telephone Company, and Wauneta Telephone Company from the above-captioned complaint as they had reached agreement with AT&T and both parties had requested dismissal. Answers were timely filed by the remaining Respondents.

On January 18, 2011, the Hearing Officer entered an order granting informal interventions to Sprint Communications Company, L.P.

d/b/a Sprint and MCI Communications Services, Inc. d/b/a Verizon Business Services.

The Commission entered an order on March 1, 2011, dismissing Southeast Nebraska Communications, Inc. and Three Rivers Telco from the above-captioned complaint.

On February 4, 2011, formal complaints were filed with the Commission by Cambridge Telephone Company, Eastern Nebraska Telephone Company, Great Plains Communications, Inc., Hartington Telecommunications Company, Inc., Hooper Telephone Company, Northeast Nebraska Telephone Company, and Rock County Telephone Company, against AT&T. Those complaints were docketed as Docket Nos. FC-1350 through FC-1356. AT&T timely filed answers in all seven of the RLEC complaints.

On May 2, 2011, the Hearing Officer entered an order consolidating the above-captioned complaints finding them to be factually and legally related.

The Commission entered an order on July 11, 2011, dismissing Hartington Telecommunications Company, Inc. and Hooper Telephone Company from the above-captioned proceeding.

The following Respondents remain in the above-captioned complaint: Cambridge Telephone Company, Eastern Nebraska Telephone Company, Great Plains Communications, Inc., Northeast Nebraska Telephone Company, and Rock County Telephone Company, (collectively, the "RLECs").

On September 2, 2011, Eastern Nebraska Telephone Company ("Eastern") and Rock County Telephone Company ("Rock")(collectively the "ABB Affiliates") filed a Statement of Satisfaction and requested the dismissal of Formal Complaints FC-1351 and FC-1356 and the dismissal of the ABB Affiliates from Formal Complaint FC-1348 as Eastern, Rock, and AT&T had reached an agreement and resolved their disputes in the above-referenced Formal Complaints.

On September 6, 2011, AT&T filed a Statement of Acceptance and Motion to Dismiss the ABB Affiliates from AT&T's Formal Complaint, Docket No. FC-1348, and the dismissal of Formal Complaints FC-1351 and FC-1356 citing the same agreement reached by the parties resolving all the outstanding issues raised in the Formal Complaints.

Being fully informed, the Commission is of the opinion and finds that Eastern and Rock should be dismissed from Docket No. FC-1348 and Formal Complaints, Docket Nos. FC-1351 and FC-1356 should be dismissed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Eastern Nebraska Telephone Company and Rock County Telephone Company, be, and are hereby, dismissed from Formal Complaint Docket No. FC-1348.

IT IS FURTHER ORDERED that Formal Complaints, Docket Nos. FC-1351 and FC-1356, be and are hereby, dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of September, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Eastern Nebraska Telephone Company and Rock County Telephone Company, be, and are hereby, dismissed from Formal Complaint Docket No. FC-1348.

IT IS FURTHER ORDERED that Formal Complaints, Docket Nos. FC-1351 and FC-1356, be and are hereby, dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of September, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Deed J. H. H. H.
Aune Boyle
Gerald L. Vay

//s// Tim Schram

Tim Schram

Chairman

ATTEST:

John Burdick

Deputy Director