

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Formal)	Application No. 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
Complaint Hartington
Telecommunications Company, Inc.,
Hartington, 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
Complaint Hooper Telephone
Company, Remsen, Iowa, 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
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
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.

Application No. FC-1353

Application No. FC-1354

Application No. FC-1355

Application No. FC-1356

Entered: July 12, 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 Docket No. FC-1348.

Some of the Respondents were duly dismissed from the Docket. The following Respondents remain in Docket No. FC-1348: 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, (collectively "RLECs"). Answers were timely filed by the RLECs.

On February 4, 2011, formal complaints were filed with the Commission by the RLECs 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.

On June 29, 2011, Hartington Telecommunications Company, Inc. ("Hartington") and Hooper Telephone Company ("Hooper") filed a Statement of Satisfaction and requested the dismissal of Formal Complaints FC-1353 and FC-1354 and the dismissal of Hartington and Hooper from Formal Complaint FC-1348 as Hartington, Hooper and AT&T had reached an agreement and resolved their disputes in the above-referenced Formal Complaints.

On July 7, 2011, AT&T filed a Statement of Acceptance and Motion to Dismiss Hartington and Hooper from AT&T's Formal Complaint, Docket No. FC-1348, and the dismissal of Formal Complaints FC-1353 and FC-1354 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 Hartington and Hooper should be dismissed from Docket No. FC-1348 and Formal Complaints, Docket Nos. FC-1353 and FC-1354 should be dismissed.

O R D E R

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

IT IS FURTHER ORDERED that Formal Complaints, Docket Nos. FC-1353 and FC-1354, be and are hereby, dismissed.

MADE AND ENTERED at Lincoln, Nebraska, this 12th day of July,
2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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MADE AND ENTERED at Lincoln, Nebraska, this 12th day of July, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Dee J. J. J.
Gene Bayle
Gerald L. Vep

Tim Schram

Chairman

ATTEST:

Phil S. J. S.

Executive Director

//s//Frank E. Landis
//s//Tim Schram