BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of the Commission on its own motion to investigate whether Title 291 NAC Ch. 5, Rules 001.01S and 002.16A5 should be amended, and if so, to determine a proposed rule at a later date as part of a Rule & Regulation proceeding.	Application No. C-1025/PI-5 ORDER TO PROCEED WITH RULE & REGULATION 121 APPLICATION AND HEARING Entered: September 14, 1993

BY THE COMMISSION

On its own motion, the Commission docketed this matter to investigate whether the Telecommunications Rules in Title 291 NAC Chapter 5 should be amended. Specifically, we investigated the "indebted household" rules which govern telephone service denial or disconnection of subscribers. Notice of this petition for investigation was published in the Omaha Daily Record March 25, 1993. Hearing on the petition was held in the Commission Hearing Room May 6, 1993.

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

In the original petition for investigation, we directed the Communications Department Staff (the "Staff") to study the current rules and develop (a) alternatives to the current rules and rationales for those alternatives and (b) a rationale for maintaining the current rules. The Staff presented a number of state utility commission indebted household rules for us to review and two of its own alternatives at the hearing. The Nebraska Telephone Association appeared and also offered an alternative indebted household rule.

As per the original petition, we mandated that if we determined that a specific rule change was worthy of further consideration, we would select the alternative deemed to be in the public interest and set that alternative for a hearing as a proposed rule and regulation pursuant to the State Administrative Procedures Act.

After review, we find that a combination of the alternatives offered by the Staff and the Nebraska Telephone Association is the best alternative. Upon consideration of the application, the governing statutes and rules, the evidence adduced at the hearing, and being fully informed, the Commission is of the opinion and finds that it should hold a rule and regulation

proceeding to consider amending Title 291 NAC Ch. 5, Rule 002.16A5 as follows:

"002.16A5: Request for service or delinquency in payment for service at an indebted household~~.~~ , unless a customer in the indebted household to whom service is provided and billed has made prompt payment for such service."

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that, as a result of our findings in Application No. C-1025/PI-5, Rule and Regulation Docket No. 121 be opened and a hearing be held to consider amending the Commission's indebted household rule as follows:

"002.16A5: Request for service or delinquency in payment for service at an indebted household~~.~~ , unless a customer in the indebted household to whom service is provided and billed has made prompt payment for such service."

IT IS FURTHER ORDERED that this rule be considered at a public hearing in the Commission Hearing Room on October 20, 1933 at 1:30 p.m.

MADE AND ENTERED at Lincoln, Nebraska this 14th day of September, 1993.

NEBRASKA PUBLIC SERVICE COMMISSION

Frank Landis Jr.
Chairman

Commissioners Concurring:

Daniel G. Urwiller
Duane D. Gay
//s//Rod Johnson
//s//Frank E. Landis, Jr.
//s//James F. Munnelly

ATTEST:

Dik R. Stringer
Executive Director