BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of the *Northeast Nebraska Telephone Co.* to revise the exchange area boundary of its Bartlett, Nebraska exchange and the Ericson exchange of the *Nebraska Central Telephone Company.*	Application No. C-1030 GRANTED AND BOUNDARY DETERMINED Entered: November 9, 1993

BY THE COMMISSION

Northeast Nebraska Telephone Co. ("Northeast") filed an application to open this docket September 29, 1993. The applicant seeks an order from the Commission altering the boundary between its Bartlett exchange and the Ericson exchange of the Nebraska Central Telephone Company ("Central"). Notice of the application was published in the **Omaha Daily Record** September 30, 1993. Central filed a letter waiving opposition to the application and this was made part of the original application. No one protested the application and we therefore consider this matter using the Commission's modified procedure rule.[1]

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

Northeast is a local exchange carrier duly organized and existing under the laws of the State of Nebraska with its principal place of business in Jackson, Nebraska. Central is also organized and exists under the laws of this State as a local exchange carrier. As such, both companies are governed by Chapters 75 and 86 of the Nebraska state statutes and by this

[1] Title 291 NAC Ch. 1, Rule 018.03.

Commission. Specifically, this application is regulated by Neb. Rev. Stats. §§75-612 to 75-615 (Reissue 1990).

T.S.P Farms has requested local exchange service from Northeast's Bartlett exchange. This entails a shift in the present boundary between the two companies separating the Bartlett and Ericson exchanges.

Northeast proposes that the boundary between the two exchanges in Wheeler County be revised as shown by the circled area on Exhibit A (modified Bartlett exchange map) which is incorporated herein as part of this order at page three. The property affected by this boundary change is found in the southeast quarter of the northwest quarter of Section 20, Township 22 North, Range 11 West, Wheeler County, Nebraska. This boundary change is agreed to by Central as shown by its August 13, 1993 letter to Northeast (Exhibit D).

Since the companies affected by this application consent to its approval, we are not required to reach the issues of duplication of facilities, economic soundness, etc. (see §75-612 and 75-613).[2]

Upon consideration of the circumstances and being fully advised, the Commission is of the opinion and finds that the

---

[2] §75-612 requires that a hearing on this application be held if all the telephone companies involved do not consent to the application. In this case, consent exists so there is no hearing required and this application is processed by modified procedure. §75-613 states that upon completion of the hearing on such an application, if a hearing is required, the Commission may grant the application, in whole or in part, if the evidence establishes all of the conditions set forth in subsections (1) through (4), e.g. duplication of facilities. Since this application did not require a hearing, we are not required to make findings of fact regarding these subsections.

companies agree to a new boundary, the change of which transfers T.S.P. Farms' property as identified in Exhibit A from Central's Ericson exchange to Northeast's Bartlett exchange. Both companies should be ordered to file revised service area maps showing the area in question identified in Exhibit A to be in the Bartlett exchange.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that a boundary, as determined in Application No. C-1030, and conforming to the service area identified in Exhibit A, be drawn placing said service area within the Bartlett exchange of the Northeast Nebraska Telephone Co.

IT IS FURTHER ORDERED that revised service area maps be filed by the Northeast Nebraska Telephone Co. and the Nebraska Central Telephone Company showing the area in question to be in the Bartlett exchange of the Northeast Nebraska Telephone Co.

MADE AND ENTERED at Lincoln, Nebraska this 9th day of November, 1993.

NEBRASKA PUBLIC SERVICE COMMISSION

Commissioners Concurring

Duane D. Gay

//s//Rod Johnson
//s//James Munnelly
//s//Daniel G. Urwiller

Daniel G. Urwiller
Vice **Chairman**

ATTEST:

Dwight R. Irving
Executive Director

Application No. C-1030 Page -4-

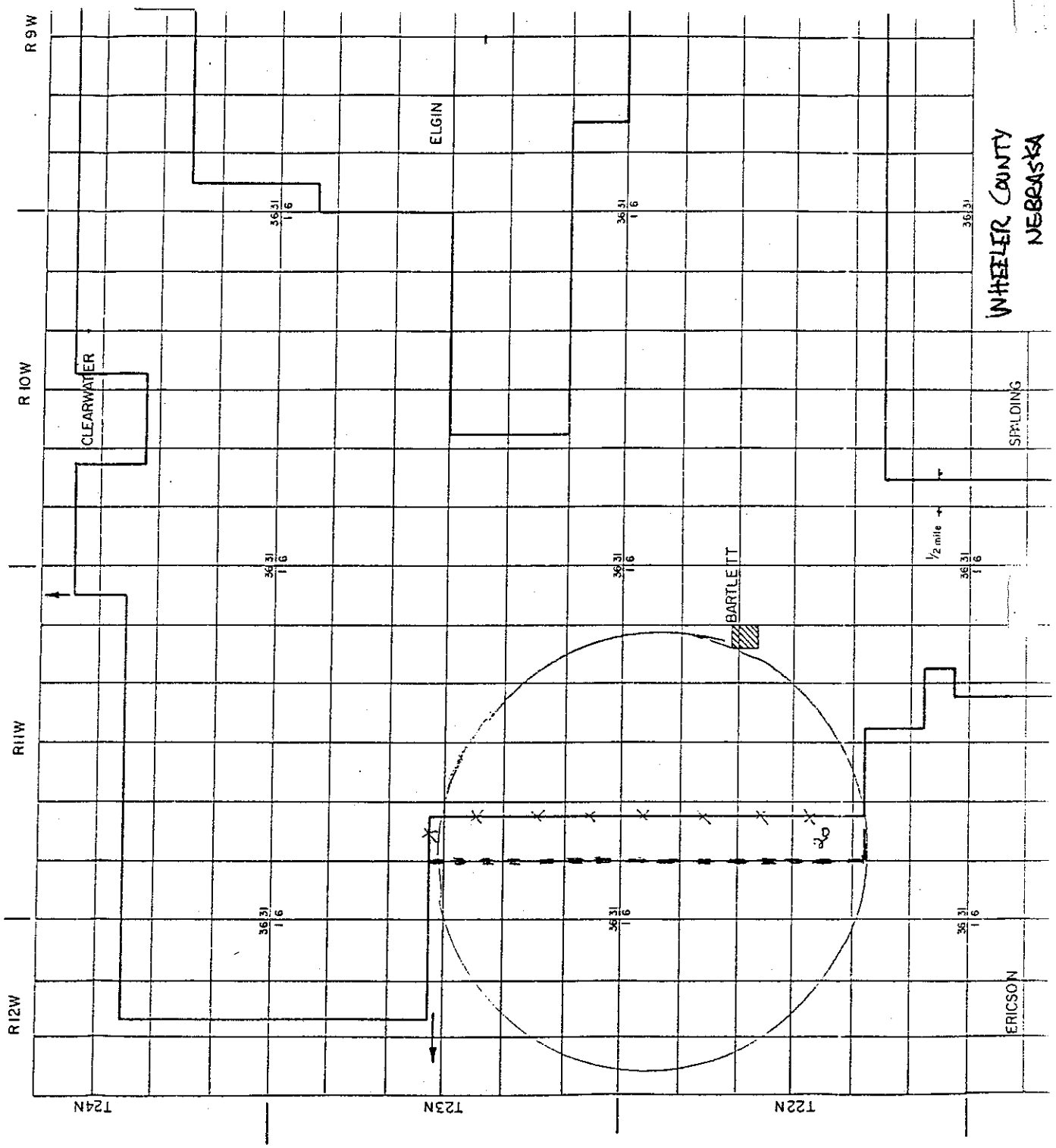

Exhibit "A"