

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

|                                     |   |                           |
|-------------------------------------|---|---------------------------|
| In The Matter of United Tele-       | ) | Application No. C-1042    |
| phone of the West's Application     | ) | GRANTED AND               |
| to serve territory previously not   | ) | CERTIFICATE AMENDED       |
| certificated to any Local Exchange) | ) |                           |
| Telephone Company.                  | ) |                           |
|                                     | ) | Entered: February 8, 1994 |

**Applicant's Attorney**

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BY THE COMMISSION

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

United Telephone Company of the West ("United"), Overland Park, Kansas filed this application December 10, 1993. The applicant seeks to provide basic exchange telephone service to a small portion of western Nebraska not currently certificated to any local exchange carrier ("LEC"). We shall treat this application as an application to amend United's current intra-state authority. Notice of the application was filed in the Omaha Daily Record December 15, 1993. No protests to the application were received.

United is a local exchange carrier operating generally in the state's western panhandle and is subject to the Commission's general regulation of common carriers. This application is governed specifically by Neb. Rev. Stats. §75-604 to 75-615 (1990 Reissue) which establish that if the telephone company or companies affected by the proposed boundary exchange do not object to the application (as is obviously the case here), the application may be processed by modified procedure without a hearing. We therefore consider this matter under such a format.

The area sought to be served pursuant to an amended certificate is located on Exhibit A which is attached to this order and incorporated by reference herein. United seeks to make the territory in question a part of its LaGrange, Wyoming exchange; this area includes five subscribers. This particular area is surrounded on the Nebraska side of the state line by United's Gering exchange and on the Wyoming side of the line by United's LaGrange exchange. Most importantly, this is territory which has been served by United for many years and United's application is not in competition with another LEC

Application No. C-1042

Page 2

for this territory nor is it an invasion of another LEC's service area. This application seeks to formalize United's authority to serve this geographic area (which it has been serving) as part of its current intrastate authority.

Upon consideration of the application, the attached map, and being fully advised, the Commission is of the opinion and finds that United's certificate should be amended and the Gering and LaGrange exchanges should be re-drawn to place the area in question in the LaGrange exchange as part of United's intrastate authority to provide basic local exchange service. The application should be approved and United should be ordered to file revised service area maps showing the area in question to in the LaGrange exchange.

## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-1042 be and it is hereby granted to amend the applicant's certificate of public convenience and necessity and a boundary is hereby determined placing the area specified in attached Exhibit A into the LaGrange exchange of United Telephone Company of the West.

IT IS FURTHER ORDERED that a revised service area map be filed by United Telephone Company of the West showing the placement of the area in question into the LaGrange exchange.

MADE AND ENTERED at Lincoln, Nebraska this 8th day of February, 1994.

## NEBRASKA PUBLIC SERVICE COMMISSION

## COMMISSIONERS CONCURRING

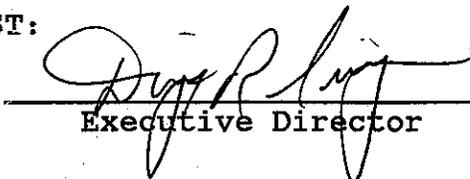
//s//Duane D. Gay

//s//Rod Johnson

//s//James F. Munnelly

  
Acting Chairman

ATTEST:

  
Executive Director

