

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application)	Application No. C-1106
of U.S. West Communications, Inc.)	
of Omaha, Nebraska and R.T. Com-)	
munications, Inc. of Worland,)	GRANTED
Wyoming seeking authority for re-)	
cognition of change in ownership)	
of the Pine Bluffs and Albin,)	
Wyoming exchanges.)	Entered: October 11, 1994

PRELIMINARY MATTERS

By application filed September 8, 1994, U.S. West Communications, Inc. (USWC) and R.T. Communications Inc. (RT) seek authority to recognize the change in ownership of the Pine Bluffs and Albin, Wyoming exchanges. Notice of the application was published in the Omaha Daily Record on September 12 and September 15, 1994. According to the Commission's Rule of Modified Procedure (see Title 291, NAC Ch. 1, Rule 018.03), if protests to an application are not received within thirty (30) days from publishing, the petition may be granted without a hearing.

BY THE COMMISSION

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

USWC is a local exchange carrier operating in Nebraska and Wyoming, and is subject to the Commission's general regulation of common carriers. RT provides telecommunications services in the state of Wyoming.

On July 14, 1992, the Commission entered an Order establishing the local exchange boundaries for the Bushnell exchange of the Dalton Telephone Company (Dalton). The Order grandfathered 28 existing subscribers' service station lines in the Bushnell exchange who were connected to USWC's facilities in either the Pine Bluffs or Albin, Wyoming exchanges. Dalton has agreed to extend facilities to the service station locations in the future; however, subscribers feel a community of interest exists with Pine Bluffs and Albin. Therefore, this unique area was permitted to receive dual-service. Specifically, subscribers were required to subscribe to Dalton's local exchange service, but allowed to keep the USWC service station lines, provided that such lines are toll restricted.

The grandfather clause remains in tact until the subscriber moves, sells his or her property, or the service

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station line is intentionally disconnected. The only exception to this rule is for transfer of property to another family member who was a member of the household as of the date of the Order.

Since the Commission's Order in 1992, USWC has sold its Pine Bluffs and Albin, Wyoming exchanges to RT. The sale of the exchanges has been approved by the Wyoming Public Service Commission and the Federal Communications Commission. The application reflects RT agrees to abide by all conditions and responsibilities placed on USWC in the Nebraska Public Service Commission's Order of July 14, 1992 and December 6, 1993 (a Nunc Pro Tunc Order).

Upon consideration of the application, the exhibits, and being fully advised, the Commission is of the opinion and finds that the sale of the Pine Bluffs and Albin, Wyoming exchanges from U.S. West Communications to RT Communications is approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-1106 be and it is hereby granted, and the approval of the order shall be effective October 18, 1994, provided that no protests or interventions to the application are received on or before October 17, 1994.

IT IS FURTHER ORDERED RT Communications file a tariff with the Commission.

MADE AND ENTERED at Lincoln, Nebraska this 11th day of October, 1994.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Daniel G. Kravitz

//s//Duane D. Gay
//s//Rod Johnson
//s//Frank Landis, Jr.
//s//James F. Munnely

Frank Landis, Jr.
Chairman

ATTEST:

John R. Long
Executive Director