

Nebraska Public Service Commission

COMMISSIONERS:

ANNE C. BOYLE
ROD JOHNSON
FRANK E. LANDIS
TIM SCHRAM
GERALD L. VAP



300 The Atrium, 1200 N Street, Lincoln, NE 68508
Post Office Box 94927, Lincoln, NE 68509-4927
Website: psc.nebraska.gov
Phone: (402) 471-3101
Fax: (402) 471-0254

NEBRASKA CONSUMER HOTLINE:
1-800-526-0017

EXECUTIVE DIRECTOR:
STEVE MERADITH

TO ALL PERSONS INTERESTED:

You have expressed interest in procedures enacted by the Nebraska Public Service Commission which provide for Extended Area Service (EAS) to a nearby community. Attached is a copy of the rules and regulations on how to apply.

Also attached is a sample petition you may use in petitioning the Nebraska Public Service Commission for EAS. This petition can be used or any type of petition may be used, as long as it is in the form of a petition with evidence of support indicated by signatures of 25 percent, or 750 of the petitioning exchange customers, whichever is less. If a residential customer, the petition must be signed by the subscriber or the subscriber's spouse. In the case of a business customer, only a duly authorized agent or representative may sign. Each signer shall include an address and telephone number. Initiatives for EAS may also come from the exchange carrier.

If you have any questions concerning the preparation of your petition or require additional assistance, please contact the Commission.

Enclosures

INITIATIVE PETITION FOR EAS

To: Nebraska Public Service Commission

The undersigned subscribers of _____
Telephone Company do hereby petition the Nebraska Public Service
Commission to establish Extended Area Service from the community
of _____
to the community of _____. To begin
this procedure, the petition shall be presented to the Commis-
sion with evidence of support indicated by signatures of 25
percent or 750 or the petitioning exchange customers, whichever
is less.

DATE	SUBSCRIBER'S SIGNATURE	TELEPHONE NO.
_____ ADDRESS:	_____	_____

Each signature shall be dated and shall be that of the sub-
scriber or the subscriber's spouse. Each signer shall include
address and telephone number. If a business, the name of the
business shall be included with the signature of an officer or
agent. The subscriber's telephone number shall be shown to aid
in validation. If an unlisted number, "unlisted" may be shown.

002.27 Extended Area Service:

002.27A No Extended Area Service (EAS) may be discontinued without prior approval of the Commission. All new EAS offerings must be approved by the Commission.

002.27B Survey Procedure; General Information:

002.27B1 All exchange carriers subject to the Commission's jurisdiction shall follow the EAS survey procedures set forth in the following sections: Sections 002.27C and 002.27D contain the procedures to be followed to establish EAS and Sections 002.27E and 002.27F contain the procedures to be followed to discontinue EAS.

002.27B2 At all stages of this procedure, the information an exchange carrier is required to supply customers shall be brief but sufficient to explain the proposed service to the customers and shall not discourage the customers from completing the survey.

002.27B3 Whenever an EAS survey is conducted, the exchange carrier shall mail to each customer account (primary service listing) a letter explaining the purpose of the survey, and a postage-paid, Commission-addressed return ballot on which the customer can indicate a preference. The Commission shall provide the exchange carrier a copy of the survey results within ten (10) days following the last date on which surveys may be returned to the Commission.

002.27B3a Customers are permitted one vote per account.

002.27B4 The exchange carrier shall provide a copy of the proposed text and format of the customer letter and ballot to the Commission, for its approval.

002.27C Requirements for Establishing Extended Area Service (EAS) Studies:

002.27C1 The initiative for EAS shall be in the form of a petition presented to the Commission with evidence of support indicated by signatures of twenty-five percent (25%), or 750, of the petitioning exchange accounts, whichever is less. If the subscriber has a residential account, the petition must be signed by the subscriber or the subscriber's spouse. In the case of

a business account, only a duly authorized agent or representative of the business may sign the petition. Each signer shall include an address and telephone number. The exchange carrier may also inaugurate the initiative for EAS.

002.27C2 The exchange carrier shall file a list of customers in the petitioning exchange with the Commission within seven (7) working days of notification by the Commission that a petition has been filed. If the petition meets the above requirements, the Commission will assign a docket number to the EAS request.

002.27C3 If the requirements of Section 002.27C1 are fulfilled, the exchange carrier shall conduct a usage study covering the most recent three month available data to determine if a sufficient community of interest exists from the petitioning exchange to the petitioned exchange. There must be an average of five (5) or more calls per customer, per month, and more than fifty percent (50%) of the customers must make at least two (2) calls per month to the petitioned exchange in at least two (2) of the three (3) months studied. The exchange carrier shall file the results of the usage study with the Commission within forty-five (45) days from the date the petition is docketed. If these basic criteria are not met, the request will be dismissed without further action.

002.27C4 If the provisions of Section 002.27C3 are met, the exchange carrier shall file proposed rates for EAS and may voluntarily file an OEACP with the Commission within ninety (90) days from the date usage studies are submitted. The proposed rates shall be made a part of the record in the docket. The exchange carrier shall provide evidence supporting the proposed rate, including computations used to develop the proposed rates.

002.27C5 The exchange carrier shall hold at least one informational meeting in the exchange where the EAS petition was originated within sixty (60) days from the date the proposed rates are filed. The purpose of the meeting is to inform the petitioners of the proposed rates and to assess the petitioners' interest in receiving EAS, or an OEACP if offered.

002.27C5a The exchange carrier shall publish notice of the time, date, and location of the informational meeting in the local newspaper of the affected exchange(s) at least one (1) week prior to the date of the meeting.

002.27C6 Within thirty (30) days from the date of the informational meeting, the Commission shall determine whether a survey for EAS should be mailed to the affected customers. If the Commission determines that EAS is not acceptable, or if the EAS ballot fails, the Commission may require that the voluntarily offered OEACP be offered.

002.27C6a The exchange carrier shall publish the results of the Commission's decision (made pursuant to Section 002.27C6) in the local newspaper of the affected exchange(s).

002.27C7 If the Commission determines an optional enhanced area calling plan is acceptable, the exchange carrier shall establish the service not later than six (6) months from the date of the informational meeting, unless good cause is shown.

002.27C7a A petition for EAS may not be resubmitted for twelve (12) months from the date the OEACP is approved.

002.27C8 When a petition fails to pass the tests in Section 002.27C3, the petitioning exchange may not initiate a similar petition for twelve (12) months from the date the petition is dismissed.

002.27D Requirements for Customer Survey to Establish Extended Area Service (EAS):

002.27D1 If the Commission determines EAS should be offered, the exchange carrier shall conduct a survey of the customers whose rates will be affected if the plan is adopted. The Commission may grant a waiver of this provision upon request from an affected exchange carrier and a showing of good cause.

002.27D2 The survey letter shall contain the following items:

002.27D2a An explanation of the purpose of

the survey;

002.27D2b An explanation that only one vote, per account is permitted;

002.27D2c Identification of the existing rate, the amount of the rate increase, and the new rate associated with the addition of the proposed EAS;

002.27D2d A statement that more than fifty percent (50%) of those voting must vote in favor of the proposal before EAS will be implemented;

002.27D2e A statement indicating the proposed date when service would be established which shall not be more than one (1) year from the survey ballot date, unless a delay is granted by the Commission for good cause shown; and

002.27D2f The date by which the survey ballot must be returned to be considered, as set by the Commission. Such date shall be not less than thirty (30) days, nor more than sixty (60) days, from the date on which the exchange carrier mails the survey letter. The Commission shall not count the survey ballots for three (3) days following the return date to allow all returned survey ballots to clear the post office.

002.27D3 Ballot Return: The postage-paid, Commission-addressed return ballot included with the survey letter should contain the following information:

002.27D3a A statement explaining the EAS proposal being voted upon as set out in the survey letter;

002.27D3b A place for the customer to indicate a choice of being in favor of, or opposed to, the establishment of EAS; and

002.27D3c Lines designated for the customer's signature, telephone number, and date.

002.27D4 If the customers in an exchange vote in favor of EAS to another exchange, but concurrence in EAS is not received from the second exchange, then customers in the first exchange shall be surveyed with new rates for EAS. The same basic survey procedure shall be followed as provided herein, but the survey letter shall also include information concerning lack of concurrence for EAS by the neighboring exchange and that another survey is being undertaken to determine interest in EAS at new rates. If ultimately only one exchange votes in favor of EAS, the subscribers in that exchange shall bear the total cost of the EAS offering.

002.27D5 When a petition fails to pass the requirements of Section 002.27D2d, the exchange carrier or petitioning exchange may not submit a similar petition for twelve (12) months from the date the petition is dismissed.

002.27E Requirements for Discontinuing Extended Area Service (EAS):

002.27E1 The initiative to discontinue EAS shall be in the form of a petition presented to the Commission with evidence of support indicated by signatures of twenty-five percent (25%), or 750, of the petitioning exchange accounts, whichever is less. If the subscriber has a residential account, the petition must be signed by the subscriber or the subscriber's spouse. In the case of a business account, only a duly authorized agent or representative of the business may sign the petition. Each signer shall include an address and telephone number. The exchange carrier may also inaugurate the initiative to discontinue EAS.

002.27E2 The exchange carrier shall file a list of customers in the petitioning exchange with the Commission within seven (7) working days of notification by the Commission that a petition has been filed. If the petition meets the above requirements, the Commission shall assign a docket number to the request to discontinue EAS.

002.27E3 The exchange carrier shall conduct customer usage, cost, and revenue studies and shall submit the

results of such studies to the Commission within ninety (90) days of the docket date. The Commission shall determine the merits of proceeding with a customer survey.

002.27E4 The exchange carrier need not undertake such studies more than once in the twelve (12) month period from the date the petition is dismissed.

002.27F Requirements for Customer Survey to Discontinue Extended Area Service (EAS):

002.27F1 The survey letter shall contain the following items:

002.27F1a An explanation of the purpose of the survey;

002.27F1b An explanation that only one vote, per account, is permitted;

002.27F1c Identification of the existing rate, the amount of the rate decrease, if any, and the new rate associated with the proposed discontinuance of EAS; (Previously Item 2)

002.27F1d A statement that more than fifty percent (50%) of those voting must vote in favor of the proposal before EAS will be discontinued;

002.27F1e A statement indicating the proposed date when the service would be discontinued, which shall not be more than six (6) months from the survey ballot date; and

002.27F1f The date by which the survey ballot must be returned to be considered, as set by the Commission. Such date shall be not less than thirty (30) days, nor more than sixty (60) days, from the date on which the exchange carrier mails the survey letter. The Commission shall not count the ballots for three (3) days following the return date to allow all returned survey ballots to clear the post

office.

002.27F2 Ballot Return: Along with the survey letter, the exchange carrier shall send each customer in the affected exchange(s) a postage-paid, Commission-addressed return ballot containing the following information:

002.27F2a A statement explaining the EAS proposal being voted on as set out in the survey letter;

002.27F2b A place for the customer to indicate a choice of being in favor of, or opposed to, the discontinuance of EAS; and

002.27F2c Lines designated for the customer's signature, telephone number, and date.

002.27F3 A majority of those voting in each exchange surveyed must vote to discontinue EAS for the service to be withdrawn.

002.27F4 The exchange carrier need not conduct a customer survey to discontinue EAS more than once in any twelve (12) month period from the date the petition is dismissed.

002.27G Exemption: If an exchange carrier offers, in an exchange, an optional enhanced area calling plan acceptable to the Commission, it shall be exempt from the requirements of rule 002.27B in that exchange.