DECISION MEMORANDUM

TO:COMMISSIONER NELSON

COMMISSIONER SMITH

COMMISSIONER HANSEN

MYRNA WALTERS

TONYA CLARK

DON HOWELL

STEPHANIE MILLER

DAVE SCHUNKE

JOE CUSICK

DAVID SCOTT

WORKING FILE

FROM:WELDON STUTZMAN

DATE:JANUARY 22, 1997

RE:CASE NOS.  USW-T-97-4 AND RUR-T-97-1

JOINT PETITION OF U S WEST AND RURAL TELEPHONE COMPANY, AMENDMENT TO THEIR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

On January 17, 1997, a Joint Petition for Amendment of Certificated Service Area Boundaries was filed by U S WEST and Rural Telephone Company.  U S WEST’s certificated service area includes the Mountain Home exchange, a portion of which is adjacent to the Tipanuk exchange operated by Rural.  The Tipanuk exchange currently has 40 customers and is situated northwest of Mountain Home and adjacent to the northern portion of U S WEST’s Mountain Home exchange.

The petitioners desire to adjust the boundary between the Tipanuk and Mountain Home exchanges to add approximately 30 square miles to Rural’s Tipanuk exchange and exclude that area from U S WEST’s Mountain Home exchange.  Currently, only one residential customer receives service from U S WEST in the area.  Rural has received six requests for residential service in the identified area.  The Petition alleges that, because of the location of U S WEST’s and Rural’s existing facilities, Rural is best situated to provide service to the area and to respond to future requests for service.

According to the Petition, Rural contacted the only customer receiving service in the area and the customer desires to continue as a customer of U S WEST.  Thus, the Petition states that U S WEST will continue to serve this customer until such time as the customer elects to obtain service from Rural.  The petitioners request that the Petition be processed by modified procedure.

Staff supports the processing of this Petition by modified procedure.

Commission Decision

Should the Joint Petition of U S WEST and Rural for amendment of their certificated service areas be processed by modified procedure?

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Weldon Stutzman

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