

P-421/CP-90-664 ORDER DISMISSING PETITION AND CLOSING DOCKET

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of A Petition for
Extended Area Service from the
Wisconsin Exchanges of Bennet,
Poplar, Solon Springs, and
Hawthorne to the Duluth,
Minnesota and Superior,
Wisconsin Exchanges

ISSUE DATE: November 12, 1991

DOCKET NO. P-421/CP-90-664

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PROCEDURAL HISTORY

On September 10, 1990, subscribers in four Wisconsin exchanges (Bennet, Poplar, Solon Springs, and Hawthorne) filed a petition with the Commission for extended area service (EAS) to the Duluth and Superior Wisconsin exchanges. The Wisconsin exchanges are served by the Solon Springs Telephone Company (Solon). The subscribers also filed petitions for these EAS routes with the Public Service Commission of Wisconsin (Wisconsin Commission).

The Duluth exchange, served by US West Communications, Inc. (USWC) and the Superior, Wisconsin exchange, served by Wisconsin Bell Telephone Company (Wisconsin Bell), have EAS to each other.

On September 14, 1990, the Minnesota Department of Public Service (the Department) requested USWC, which serves the Duluth exchange, to file traffic studies regarding the proposed routes.

On September 18, 1990, the Commission received a courtesy copy of a letter from the Wisconsin Commission to the local exchange company serving the petitioning exchanges, Solon. The Wisconsin Commission requested Solon to file traffic studies for the proposed EAS routes.

On October 19, 1990, USWC filed a letter in response to the Department's request, stating that it does not carry traffic between Duluth and the Wisconsin communities. Rather interstate, interexchange carriers (IXCs) carry the traffic. USWC stated that once IXCs provide it with the traffic information, it would provide cost studies and proposed rates.

On January 4, 1991, the Commission received a copy of the Wisconsin Commission's order regarding these petitions. In its order, the Wisconsin Commission denied the petitions, finding that all eight of the requested EAS routes failed to meet traffic requirements under the Wisconsin Administrative Code.

On February 19, 1991, the Wisconsin Commission decided to reconsider these petitions.

On April 15, 1991, the Wisconsin Commission issued its final decision in this matter, denied "upon reconsideration" the petitions from the four communities to Duluth. This denial was based on lack of sufficient traffic to meet Wisconsin's rules.

FINDINGS AND CONCLUSIONS

In this matter, the Commission's interest regarding the petition filed with it for EAS routes to Duluth rested upon its responsibilities with respect to subscribers in the Duluth exchange and the telephone companies serving that exchange. Because the Wisconsin Commission has dismissed the petitions filed with it that identified the Duluth exchange as a petitioned exchange, the prospect of an EAS route between the Wisconsin exchanges and Duluth has been eliminated.

In these circumstances, the Commission is not required to exercise its responsibility/authority to protect the interests of those subject to its jurisdiction when a Minnesota exchange is petitioned for EAS by a non-Minnesota exchange. Instead, the Commission will simply dismiss the petitions filed with it by the Wisconsin subscribers and close this docket.

ORDER

1. The petition for EAS filed by subscribers from Wisconsin exchanges on September 10, 1990 is dismissed and Docket No. P-421/CP-90-664 shall be closed.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)