

P-407, 421, 401, 532/CP-91-237 ORDER CERTIFYING POLLING RESULTS,
DENYING PETITION AND CLOSING DOCKET

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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| Don Storm | Chair |
| Tom Burton | Commissioner |
| Cynthia A. Kitlinski | Commissioner |
| Dee Knaak | Commissioner |
| Norma McKanna | Commissioner |

In the Matter of a Petition for
Extended Area Service from
Cherry Grove to Preston and
Harmony/Granger

ISSUE DATE: May 5, 1993

DOCKET NO. P-407, 421, 401,
532/CP-91-237

ORDER CERTIFYING POLLING
RESULTS, DENYING PETITION
AND CLOSING DOCKET

PROCEDURAL HISTORY

On March 20, 1991, subscribers in the Cherry Grove exchange filed a petition seeking extended area service (EAS) to the Preston exchange and a petition seeking EAS to the Harmony/Granger local calling area. Cherry Grove is served by GTE Minnesota (GTE), Preston is served by US West Communications, Inc. (USWC), and the Harmony/Granger local calling area is served by Harmony Telephone Company (Harmony) and Ace Telephone Company (Ace).

On January 22, 1992, the Commission issued its ORDER REQUIRING FURTHER FILINGS in the above-captioned matter. In that Order the Commission found that the Cherry Grove petitions met the first criterion of the Minnesota EAS statute, Minn. Stat. § 237.161 (1992): Cherry Grove is contiguous to the Preston exchange and is also contiguous to the Granger/Harmony local calling area because Cherry Grove and Granger share a common boundary. The Commission also found that both proposed EAS routes sustained sufficient traffic to fulfill the second criterion of the EAS statute. The third criterion under the EAS statute is an affirmative response to EAS by a majority of subscribers responding to a poll. The Commission therefore ordered GTE, USWC, Harmony and Ace to file the traffic studies, cost studies and proposed rates necessary for polling subscribers regarding the two EAS routes.

Between April 6 and May 13, 1992, the telephone companies submitted their required filings.

On September 22, 1992, the Commission issued its ORDER ADOPTING RATES FOR POLLING. In that Order, the Commission adopted EAS rate additives for the EAS routes proposed between Cherry Grove

and Preston and between Cherry Grove and the Harmony/Granger local calling area (LCA). In addition the Commission directed the expedited polling of Cherry Grove subscribers.

On April 20, 1993, the Commission met to consider the results of that polling.

FINDINGS AND CONCLUSIONS

Between February 12, 1993 and April 12, 1993, subscribers in the Cherry Grove exchange were polled to determine whether they supported the EAS routes proposed in this matter. The Commission finds that the polling was properly conducted and recorded. No party alleged irregularities in the process or contested the results.

Approximately 66 percent of the subscribers in the Cherry Grove exchange participated in the polling process. Of the 202 Cherry Grove subscribers voting on the EAS proposed between Cherry Grove and Preston, 59 (29.2 percent) voted in favor and 143 (70.8 percent) voted against. Of the 201 Cherry Grove subscribers voting on EAS between Cherry Grove and the Harmony/Granger LCA, 29 (14.4 percent) voted in favor and 172 (85.6 percent) voted against. Based on these results, the Commission finds that neither of the proposed routes has adequate subscriber support, as required by Minn. Stat. § 237.161, subd. 1 (2) (1992), to mandate the installation of EAS. Accordingly, the Commission will simply certify the polling results, deny the petition, and close the docket.

The Cherry Grove subscribers should receive official notification of the results of the polling. The Commission will require GTE, the telephone company serving the petitioning Cherry Grove exchange, to notify their subscribers of the polling results.

ORDER

1. The Commission hereby certifies the polling results set forth in the text of this Order.
2. The petition for EAS between the Cherry Grove and Preston exchanges and between the Cherry Grove exchange and the Harmony/Granger LCA is denied.

3. Within 10 days of the date of this Order, GTE Minnesota, the telephone company serving the petitioning Cherry Grove exchange, shall submit to Commission Staff a proposed bill-insert type notice of polling results. After receiving Commission Staff approval, GTE shall distribute the bill insert notice to all its subscribers in the Cherry Grove exchange in the earliest possible billing cycle.
4. Within 30 days after notice has been given to all its subscribers in the Cherry Grove exchange, GTE shall notify Commission Staff of that fact in writing and the docket will be closed.
5. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)