

P-405, 421/CP-91-503 ORDER CERTIFYING POLLING RESULTS, DENYING PETITION
AND CLOSING DOCKET

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Marshall Johnson
Cynthia A. Kitlinski
Dee Knaak

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of a Petition for Extended Area
Service from the Arlington Exchange to the
Gaylord Exchange

ISSUE DATE: March 22, 1994

DOCKET NO. P-405, 421/CP-91-503

ORDER CERTIFYING POLLING RESULTS,
DENYING PETITION AND CLOSING
DOCKET

PROCEDURAL HISTORY

On July 8, 1991, subscribers in the Arlington exchange filed a petition for extended area service (EAS) to the Gaylord exchange.

On November 20, 1991, the Commission issued its ORDER DENYING PETITION AND CLOSING DOCKET based on traffic studies showing inadequate traffic from Arlington to Gaylord.

On December 11, 1991, the petition sponsor, the City of Arlington, requested that traffic studies be completed for the months September, October, and November 1991.

On January 22, 1992, the Commission issued its ORDER REOPENING DOCKET AND REQUIRING FURTHER FILINGS. The Order required the telephone company serving the Arlington exchange, Vista Telephone Company (Vista), to file additional traffic studies.

On February 4, 1992, Vista refiled traffic studies which included data for every month in 1991.

On May 21, 1992, the Commission found that the Arlington-Gaylord EAS route met the traffic criterion and issued an Order requiring Vista and the telephone company serving the Gaylord exchange, U S West Communications, Inc. (USWC), to file cost studies and proposed rates.

On July 16 and 17, 1992, respectively, Vista and USWC filed their cost studies and proposed rates.

On August 26, 1992, the Minnesota Department of Public Service (the Department) filed its report and recommendation.

On July 26, 1993, the Commission issued its ORDER ADOPTING RATES FOR POLLING.

On March 9, 1994, the Commission met to consider this matter.

FINDINGS AND CONCLUSIONS

A. Certification of Polling Results

Between December 29, 1993 and February 14, 1994, subscribers in the Arlington 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 72 percent of the subscribers in the Arlington exchange returned ballots. Of the 1,015 Arlington subscribers voting on the EAS proposed between Arlington and Gaylord, 268 (26.4 percent) voted in favor and 747 (73.6 percent) voted against.

Based on these results, the Commission finds that the proposed Arlington-Gaylord route does not have 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.

B. Notice of Polling Results

The Arlington subscribers should receive official notification of the results of the polling. The Commission will require Vista, the telephone company serving the petitioning Arlington exchange, to notify its subscribers of the polling results.

C. Petition Denied

With the failure to meet the final statutory requirement (subscriber support), the Commission will dismiss the Arlington petition.

D. Docket Closed

There is no further action to be taken in this docket. Accordingly, the Commission will close it.

ORDER

1. The Commission hereby certifies the polling results set forth in the text of this Order.
2. The petition for EAS between the Arlington and Gaylord exchanges is denied.
3. Within 10 days of the date of this Order, Vista Telephone Company, the telephone company serving the petitioning Arlington exchange, shall submit to Commission Staff a proposed bill-insert type notice of polling results. After receiving Commission Staff approval, Vista shall distribute the bill insert notice to all its subscribers in the Arlington exchange in the earliest possible billing cycle.

4. Within 30 days after it has given notice to all its subscribers in the Arlington exchange, Vista 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

Burl W. Haar
Executive Secretary

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