

P-421/CP-94-395 ORDER REJECTING 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 Hibbing to an Unknown
Exchange or Local Calling Area

ISSUE DATE: June 24, 1994

DOCKET NO. P-421/CP-94-395

ORDER REJECTING PETITION AND
CLOSING DOCKET

PROCEDURAL HISTORY

On April 19, 1994, customers in the Hibbing exchange filed a petition requesting extended area service (EAS). The petition did not specify the exchange or local calling area to which EAS was requested.

On May 26, 1994, the Department of Public Service (the Department) filed a report recommending rejection of the petition. The Department noted that the petition did not designate the name of the petitioned exchange or local calling area, the service provider involved, or a contact person for the petition.

The Department stated that members of its staff and Commission staff had made enquiries by telephone regarding the petition. The person who mailed the petition stated that the petitioners were seeking EAS to Grand Rapids. Grand Rapids is not adjacent to Hibbing.

The Department also noted that the petition contained 64 signatures out of approximately 10,000 Hibbing subscribers. Some of the signatures seemed to be from the same billing number.

The matter came before the Commission for consideration on June 14, 1994.

FINDINGS AND CONCLUSIONS

The Commission finds that the April 19, 1994 petition from the Hibbing exchange does not conform to the governing statute or rule and must be rejected.

Minn. Stat. § 237.161 provides that a petitioning exchange must be contiguous to an exchange or local calling area to which extended area service is requested in the petitioned.

The Hibbing petition is deficient on its face, since it does not name any exchange or local calling area to which EAS is requested. The petitioners' oral representation was equally deficient, since the petitioners expressed desire for EAS to a nonadjacent exchange.¹

Minn. Rules, part 7815.0700 provides that an EAS petition must be signed by 15 percent or more of the customers or 600 customers, whichever is less, in the petitioning exchange. The rule limits the signatures to one per billing number.

The Hibbing petition fails to conform to Minn. Rules, part 7815.0700 because it is signed by fewer than 600 customers or 15 percent of the customers, and some of the signatures seem to be from the same billing number.

Because of the deficiencies cited, the Commission will reject the petition and close the docket.

ORDER

1. The Commission rejects the April 28, 1994 EAS petition filed by Hibbing petitioners.
2. Docket No. P-421/CP-94-395 is closed.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)

¹ Although the Hibbing exchange could be considered adjacent to a local calling area which includes Grand Rapids, the petitioners did not express any desire for EAS to that local calling area.