

3. Equipment Rental and Maintenance - Monthly
- | | |
|--|---------|
| A. <u>Tone only Paging Unit</u> | \$ 9.00 |
| B. <u>Tone and Voice Paging Unit</u> | 13.00 |
| C. <u>Simplex Two-way Mobile or Portable Single Channel Unit</u> | 23.00 |
| D. <u>Duplex Two-way Mobile or Portable Single Channel Unit</u> | 51.00 |
4. Equipment Rental and Maintenance - Daily
- | | |
|---|--------------|
| A. Any type paging unit | each -\$1.00 |
| B. Simplex Two-way mobile or portable single channel unit | each -\$5.00 |
| C. Duplex Two-way mobile or portable single channel unit | each -\$7.00 |
5. Deposits - Per Unit - Guarantee for the Payment of Charges
- A. The minimum deposit for monthly service will be as follows:
- | | |
|--|---------|
| (1) For any one-way paging service | \$20.00 |
| (2) For any two-way mobile telephone service | \$25.00 |
- B. Where Licensee provides the equipment, the minimum deposit for monthly equipment rental will be as follows:
- | | |
|---|---------|
| (1) For any one-way paging equipment rental | \$15.00 |
| (2) For Simplex two-way mobile telephone equipment rental | \$35.00 |
| (3) For Duplex two-way mobile telephone equipment rental | \$60.00 |
- C. For any daily service and equipment rental, regardless of whether equipment is provided by the subscriber or Licensee, the minimum advance deposit will be \$25.00
6. Additional Charges
- A. Initial Service Connection and Check out
- | | |
|--|---------|
| (1) For one-way paging units | \$10.00 |
| (2) For two-way mobile telephone or portable units | \$15.00 |
- B. Installation Charges
- For installation of two-way mobile ~~vehicular~~ equipment provided by Licensee. (This charge ~~also~~ includes the removal of the equipment). \$80.00

OCT 6 1983

Issued: March 8, 1983

Effective: ~~April 8, 1983~~

By: Michael J. Tracy, President, P.O. Box 532, Scottsbluff NE 69361

- C. Reconnection Charge - Applied to each subscriber for restoring service which has been terminated under "SECTION TWO - 13-B" of this tariff. \$30.00
- D. Number Change Charge - Applied to subscriber requested telephone or dispatch number change \$30.00
- E. Special Equipment - When a subscriber desires special equipment for which provision is not otherwise made, the installation and monthly charge may be made, based upon the total cost of the equipment furnished and the special work required.
- F. Other Charges Not Included -- The charges specified in this SECTION THREE of this tariff relate only to the radio link of the service provided. Charges for local wire-line telephone service, toll wire-line telephone service, wire line teletypewriter service and the lease of wire-line facilities incurred in connection with the services provided under this tariff will be paid by the subscriber and are not included in the schedule of charges specified in SECTION THREE.
- G. Customer Selection Provision Simplex Two-way mobile and Portable telephone service - A & B. Under paragraph 1, Sections C & D of SECTION THREE - RATES, the subscriber may, at the time of the request for service, specify either of the programs for the rating of service on these services only. That then will be the rating procedure for the duration of the term. The subscriber may change from A to B with a minimum of 60 days notice to Licensee, and this change will also be subject to a charge of \$15.00
7. Rates of Transient Service -- Transient user shall be defined as a two-way mobile telephone subscriber registered with and provided service by a station in the Domestic Public Land Mobile Service other than Licensee herein. When such transients shall from time to time travel within the service area of Licensee, and are equipped with a "Customer Identification Feature" on their transmitter, they may receive service as follows: 5 - 2 minute calls @ no charge; calls over 2 minutes, or more than five in number in one month, will be billed at .45 per minute, subject to "SECTION THREE - 8".

FILED

OCT 6 1983

Public Service Commission
of Wyoming

Issued: March 8, 1983

Effective: ~~April 8, 1983~~

By: Michael J. Tracy, President, P.O. Box 532, Scottsbluff NE 69361

8. Minimum Billing

A. Transient users "SECTION THREE - 7" - A minimum monthly billing for a month in which service is rendered to a transient mobile unit may be subject to the minimum charge of \$5.00

B. Daily Service and Rental - The minimum billing for daily equipment rental and/or service shall be \$10.00.

9. Fleet Subscriber Eligibility for Volume Rate -- In the event a single radio user shall subscribe for two-way mobile and portable telephone service on more than one unit, the charge for each unit of such fleet subscriber shall be the applicable minimum charge provided for that service; but in determining the applicability of charges for excess calls or message units, all units of the fleet subscriber shall be treated as one and entitled to the collective number of minimum calls allowed for each unit before any charge for excess calls or message units is made to such fleet subscriber.

FILED

OCT 8 1983

Public Service Commission

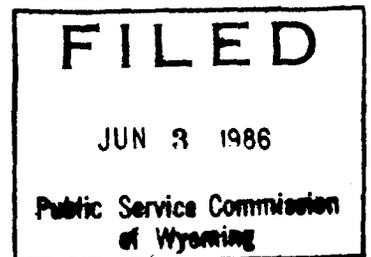
Issued: March 8, 1983Effective: ~~April 8, 1983~~

By: Michael J. Tracy, President, P.O. Box 532, Scottsbluff NE 69361

C. RATES

1. Digital Paging - Twelve Dollars (\$12.00) per month.
2. Tone and Voice Paging - Fifteen Dollars (\$15.00) per month.
3. Talk Back Paging - Eighteen Dollars (\$18.00) per month.

The remainder of this page is left blank intentionally in that the section concludes at this point.



BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

Wyo. P.S.C. Tariff No. 1
First Revised Sheet No. 1
Cancels Sheet No. 1 of 1

NAME: Western Radio Communications, Inc.

ADDRESS: 100 Big Horn Road
Casper, Wyoming 82602

SERVICE: Mobile radio, telephone and paging service.

AVAILABILITY: City of Casper, City of Rawlins, and all or portions of Natrona, Fremont, Converse, Johnson, Albany, Carbon, and Campbell Counties, Wyoming.

APPLICABLE: To all mobile telephone users and pager users.

RATE:

A. Maintenance per month

Two-Way Mobile Unit increases from \$8.00 per month to \$12.00 per month.

B. Message Service per unit per month

Two-Way Mobile Units increase from \$25.00 per month to \$40.00 per month for manual or automatic service, allowing the customer 80 minutes per month for the base rate; all additional minutes to be charged at the rate of 50¢ per minute.

C. Pocket Pager Service

Unlimited calls, with the customer providing the pager and the maintenance, increase from \$15.00 per month to \$17.00 per month.

D. Pager Provided by Western Radio Communications

Unlimited calls, including pager maintenance, increase from \$26.00 per month to \$30.00 per month.

Public Service Commission
Wyoming

APR 09 1981

FILED

Worland Services
P.O. Box 1270
Worland, Wyoming 82401

Wyoming P.S.C. Tariff No. 1
Revised Sheet No. 1
Cancels All Previous Tariff Sheets

SCHEDULE G-1
GENERAL SERVICE

SERVICE

Mobile Telephone and Paging.

APPLICABILITY

This schedule shall be applicable to all customers.

TERRITORY

Within the service area of the Company in Hot Springs, Big Horn, Park, Fremont, Sheridan, Natrona, and Washakie Counties.

RATES

1. Monthly Charges. The following charges shall be made for each month service or facilities are furnished to the subscriber by the carrier:

MOBILE TELEPHONE SERVICE

- (a) Message Service 100 minutes/month\$40.00
Overtime, per minute\$.55
Message holding (non tariff item - answering service)
- (b) Car rental unit (removed from tariff)
- (c) Car unit maintenance (removed from tariff)
- (d) Trancient Calls\$.95 per one
minute call
- (e) Installation of Car Unit (removed from tariff)
- (f) Removal of Car Unit (removed from tariff)
- (g) Check out unit and assign mobile number\$40.00
(plus any repairs needed to bring customer units up to specifications.)

FILED

MAR 20 1987

Public Service Commission
of Wyoming

Worland Services
P.O. Box 1270
Worland, Wyoming 82401

Wyoming P.S.C. Tariff No. 1
Revised Sheet No. 2
Cancels All Previous Tariff Sheets

MINIMUM BILL \$5.00 per month for transients. For regular customers the above rates are both minimum and maximum rates except in the case of message service where the minimum bill is \$40.00 per month.

DISCOUNT Subscriber with over 10 Units in service.....\$31.50 Per Unit

PAGING SERVICE

- (a) Paging number only\$15.00
- (b) Rental of pager (removed from tariff)
- (c) Maintenance of pager (removed from tariff)

FILED: January 22, 1987
Requested Effective Date: April 1, 1987

Issued By:
Worland Services

By: David L. Hollingsworth
David L. Hollingsworth

FILED
MAR 20 1987
Public Service Commission
of Wyoming

WYOMING PUBLIC SERVICE COMMISSION

FCC GENERAL DOCKET 93-252

**OMNIBUS BUDGET RECONCILIATION ACT OF 1993
AMENDMENTS TO THE COMMUNICATIONS ACT OF
1934**

**PETITION TO MAINTAIN EXISTING
REGULATORY OVERSIGHT**

RECEIVED

AUG 10, 1994

EXHIBIT #8

FCC MAIL ROOM

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

IN THE MATTER OF THE APPLICATION OF)
COMMERCIAL COMMUNICATIONS, INC. FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE) DOCKET NO. 9604
AND NECESSITY TO INITIATE AND OPERATE) SUB 1
MOBILE RADIO-TELEPHONE SERVICE IN THE)
CITIES OF RAWLINS, EVANSTON AND)
SURROUNDING AREAS, AND ONE-WAY PAGING)
SERVICE IN THE CITY OF EVANSTON AND)
SURROUNDING AREA.)

IN THE MATTER OF THE APPLICATION OF)
WESTERN RADIO COMMUNICATION FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE AND) DOCKET NO. 9639
NECESSITY TO INITIATE AND OPERATE MOBILE) SUBS 1 and 2
RADIO-TELEPHONE SERVICE AND ONE-WAY)
POCKET PAGING SERVICE IN AND AROUND)
RAWLINS, WYOMING.)

IN THE MATTER OF THE APPLICATION OF)
RULE RADIOPHONE SERVICE, INC. FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE AND) DOCKET NO. 9600
NECESSITY TO OPERATE AND MAINTAIN) SUB 1
MOBILE RADIO-TELEPHONE AND ONE-WAY)
PAGING SERVICES TO THE PUBLIC IN AND)
AROUND RAWLINS, WYOMING.)

IN THE MATTER OF THE APPLICATION OF)
DAVID R. WILLIAMS D/B/A INDUSTRIAL)
COMMUNICATIONS FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO) DOCKET NO. 9661
OPERATE AND FURNISH TWO-WAY MOBILE)
RADIO-TELEPHONE, DISPATCH AND PAGING)
COMMON CARRIER SERVICE TO ALL OR PARTS)
OF LINCOLN, UINTA AND SWEETWATER)
COUNTIES, WYOMING.)

A P P E A R A N C E S

ARTHUR KLINE, of Kline and Swainson, Attorneys
at law; and JOHN B. GRABILL, Attorney at Law,
of Cheyenne, Wyoming, appearing for the Applicant
Commercial Communications, Inc.

RONALD P. JUROVICH, Attorney at Law, of Thermopolis,
Wyoming, appearing for the Applicant Western Radio
Communications.

CAREY AUBURN, III, Attorney at Law, of Laramie,
Wyoming and GEORGE JENSEN, Attorney at Law,
of Cheyenne, Wyoming appearing for Applicant
Rule Radiophone Service, Inc.

WARD A. WHITE, of Guy, Williams and White, Attorneys
at Law, of Cheyenne, Wyoming, and WALTER P. FABER,
JR., and MICHAEL A. NEIDER, of Watkins and Faber,
Attorneys at Law, of Salt Lake City, Utah, appearing
for the Applicant Industrial Communications.

RECEIVED
AUG 10 1994
FCC MAIL ROOM

JOHN D. TROUGHTON, of Troughton and Vehar, Attorneys at Law, Kemmerer, Wyoming, appearing for the Protestant-Intervenor, Union Telephone Company.

W. DOUGLAS HICKEY, of Hirst and Applegate, Attorneys at Law, Cheyenne, Wyoming, appearing for the Protestant-Intervenor Mountain States Telephone and Telegraph Company.

H E A R D B E F O R E

CHAIRMAN C. E. JOHNSON, DEPUTY CHAIRMAN JOHN R. SMYTH and COMMISSIONER G. KEITH OSBORN.
COMMISSIONER OSBORN presiding.

FINDINGS, CONCLUSIONS AND ORDER

This consolidated matter is before the Public Service Commission of Wyoming for consideration of the several applications by the Applicants referenced herein above for certificate authority to provide interconnected radio common carrier service in southwestern Wyoming. The Commission, after having considered the several applications, the testimony and evidence presented at the public hearing held in this matter, and the stipulation executed by all parties, being duly advised in the premises, FINDS and CONCLUDES:

FINDINGS OF FACT

1. On January 28, 1977, Commercial Communications, Inc. (hereinafter referred to as Commercial) filed an application with the Public Service Commission of Wyoming for authority to provide interconnected mobile radio-telephone and one-way pocket paging service to Evanston and mobile radio-telephone service to Rawlins on both UHF and VHF channels. A Notice of Application was published once a week for three consecutive weeks in the Uinta County Herald and the Rawlins Daily Times, starting the week of February 8, 1977. Mountain States Telephone and Telegraph Company filed a protest to the application, stating it would resist any exclusive grant of authority. Union Telephone Company filed a protest of February 23, 1977, and later filed a Petition for Leave to Intervene on March 14,

1977. Rule Radiophone Service filed a protest against the application on February 28, 1977, and Two-Way Radio Service, Inc. also filed a protest on that date, but such was later withdrawn on March 10, 1977. David R. Williams d/b/a Industrial Communications filed a protest and Petition for Leave to Intervene on February 28, 1977. A protest was also filed by Utah-Wyoming Telephone Company and Cokeville Telephone Company on March 1, 1977, the substance of which was a protest against market encroachment. The Commission granted Industrial Communications, Union Telephone Company, and Western Radio Communications authority to intervene in that portion of the hearing pertaining to the application by Commercial Communications. On August 16, 1977, Commercial filed a Petition for Leave to Amend its Application to include one-way paging in the Rawlins area. The Commission granted the amendment on August 17, 1977 as it determined the omission was minor and would not have a prejudicial effect upon the other applicants.

2. On February 24, 1977 Western Radio Communications (hereinafter referred to as Western) filed an application with this Commission in Docket No. 9639 Sub 1 for authority to provide interconnected UHF mobile radio-telephone service to Rawlins, Wyoming and the surrounding area. In Docket No. 9639 Sub 2, Western filed an application for VHF one-way pager service in the Rawlins area, and in 9639 Sub 3, Western requested interconnected UHF mobile radio-telephone and one-way pager service to Evanston, Wyoming and the surrounding area. The Commission published a Notice of Application once a week for two consecutive weeks in the Rawlins Daily Times and the Uinta County Herald, beginning the week of March 8, 1977. In response to this notice, a protest and/or Petition to Intervene was filed by the following parties: David R. Williams d/b/a Industrial Communications, Rule Radiophone Service, Union Telephone Company, Commercial Communications, Inc. and Mountain States Telephone and Telegraph Company.

The Commission granted the Petitions for Leave to Intervene of Industrial Communications, Union Telephone Company, and Commercial Communications on July 15, 1977.

3. Rule Radiophone Service (hereinafter referred to as Rule) filed an application with this Commission on February 28, 1977 for certificate authority to provide manually operated VHF mobile radio-telephone and one-way paging service to Rawlins, Wyoming and surrounding areas. The application was published through a Notice of Application once a week for two consecutive weeks in the Rawlins Daily Times, beginning the week of March 8, 1977. A protest to the application was filed by Mountain States Telephone and Telegraph Company, stating that it opposed any exclusive grant of authority to Rule. A protest and Petition for Leave to Intervene was filed by Commercial Communications on March 29, 1977, and an Order granting intervention was issued by the Commission on July 15, 1977. Western Radio Communications of Casper, Wyoming petitioned for and was granted Leave to Intervene in the action on August 25, 1977.

4. David R. Williams d/b/a Industrial Communications (hereinafter referred to as Industrial) filed an application with this Commission on February 21, 1977 for certificate authority to provide VHF mobile radio-telephone and one-way paging service to all or parts of Lincoln, Uinta and Sweetwater Counties, Wyoming. The Commission issued a Notice of Application for publication in the Uinta County Herald and the Rock Springs Daily Rocket-Miner, such to run once a week for two consecutive weeks beginning March 15, 1977. In response to the Notice of Application, a protest and Petition for Leave to Intervene was filed by Union Telephone Company and Commercial Communications, Inc., individually, said requests being granted on July 15, 1977. Mountain States Telephone and Telegraph Company filed a protest to the application whereby it stated it would resist any exclusive grant of authority given to applicant, Rule. On August 22, 1977,

Industrial Communications filed a Petition for Leave to Amend its application to include Sublette and Carbon Counties, Wyoming. The Commission denied the petition in an order dated August 25, 1977, but in response to a motion made by Industrial in the pre-hearing conference held August 29, 1977, the Commission allowed Industrial to present evidence pertaining to Sublette and Carbon County.

5. On the 29th day of July, 1977, the Commission entered its Notice and Order Setting Hearing in this matter, such to be held at 9:00 a.m. on August 29, 1977 in the hearing room of the Hathaway Building in Cheyenne, Wyoming. This notice was published once a week for three consecutive weeks in the Kemmerer Gazette, the Rock Springs Daily Rocket-Miner, the Rawlins Daily Times, and the Uinta County Herald, newspapers of general circulation printed and published within the service area under consideration herein.

6. A public hearing was held on September 20, 1977, for the purpose of receiving testimony and evidence from the applicants and any interested person(s). Each applicant appeared through Wyoming counsel as noted hereinabove and fully participated in the proceedings. There were no other protestants or intervenors to the consolidated proceeding.

7. At the pre-hearing conference held August 29, 1977, Western withdrew its Sub 3 application for certificate authority to the Rawlins area. The parties of interest also agreed to a stipulation presented by Mountain Bell that any authority granted as a consequence of the proceedings be non-exclusive in nature.

8. In this consolidated proceeding, the Commission had the following broad issues for consideration:

- a) The financial ability and technical knowledge and experience of each applicant to operate as a radio common carrier;
- b) The ability of each market area to support radio common carrier operations;

- c) The impact of market expansion upon current subscribers to each respective applicant's system;
- d) Whether multiple certification is in the public interest; and
- e) The justness and reasonableness of each applicant's proposed rate structure.

9. Each of the above named applicants produced sufficient evidence, through testimony and exhibits, to support a finding that each has the requisite financial and technical ability to provide radio common carrier service to the public in the area under consideration herein.

10. Each of the above named parties entered into a stipulation on September 1, 1977 whereby each withdrew from the case of all opposing applicants and stipulated to the public need throughout the area for each respective applicant in a particular service area. Each of the applicants further stipulated that the service to be offered and market covered by each differs materially from the service and markets of each of the others, and in furtherance of this stipulation, each applicant agreed to provide service to a particular group of customers as shown in the stipulation attached hereto as Appendix A, Paragraph 9.

11. Commercial Communications, Inc., David R. Williams, d/b/a Industrial Communications and Union Telephone Company, by and through their respective legal counsel executed a "Stipulation of Facts and Statement of Disputed Issues," attached hereto as Appendix B, through which the parties specified various issues which were controverted by the parties, the resolution of which was left to the Commission. Accordingly, the Commission finds that Union Telephone Company is not entitled to receive or realize any revenue under its existing separation agreement with Mountain States Telephone and Telegraph Company for toll calls originating within its certificated area by

subscribers of Industrial Communications and Commercial Communications which do not utilize Union's long-line facilities. Further, the Commission finds the position asserted by Industrial Communications and Commercial Communications with respect to market need, nature of service, and Federal Communications Commission (FCC) practice pertaining to radio common carriers is correct and complies with the policy and practice of this Commission. (See Appendix B, page 6).

12. Union Telephone Company shall be entitled to receive a share of toll revenue only when a subscriber of Commercial Communications or Industrial Communications utilizes Union Telephone facilities, thereby making Union the "originating station".

13. The Commission shall accept the determination of each respective applicant that there is a sufficient market to support the various service areas as expressly provided in the stipulation executed by all parties on September 1, 1977. Further, the Commission finds that such expansion will not have an adverse impact upon existing subscribers of each respective applicant.

14. The rate and tariff structure as proposed by each applicant excepting Industrial appears reasonable to this Commission when compared to those generally established in the industry. The tariff structure of David R. Williams d/b/a Industrial Communications as submitted in the late-filed exhibit dated September 19, 1977 whereby the tariff provision pertaining to extra call charges was removed shall be accepted by this Commission. The Commission reserves the right to order any change in the rate structure of any and all applicants should such become unreasonable at a future time.

15. The Commission recognizes the fact that due to the very nature of radio common carriers, a precise service area cannot effectively be defined by metes and bounds measurements in a manner similar to that defined by the Commission for electric, telephone

and gas utilities. Therefore, the Commission shall adhere to the two-part definition of service area as expounded in the Bird-Brownell Order in Docket Nos. 9658, 9658 Sub 1, and 9438 Sub 2 whereby two specific types of service areas were created:

a) Primary Service Area: that non-exclusive area enclosed within the particular DBU contour as defined in Section 21-504 of the F.C.C. Rules and Regulations wherein, theoretically, radio signals can be received with a reliability factor of 90%.

b) Secondary Service Area: that non-exclusive area outside the primary service area but within which a subscriber may be able to obtain utility service of varying reliability.

16. The Commission shall accept the stipulation executed by all parties on September 1, 1977 whereby certain service areas were designated to each applicant by mutual agreement. Acceptance of this stipulation by the Commission shall constitute a grant of authority to each applicant to provide radio common carrier service to the area under consideration herein on a competitive basis, with each applicant having the responsibility to provide reliable utility service within his primary service area as specifically outlined within the stipulation. No applicant shall enjoy nor be granted a monopoly right within his "primary service area" as defined herein-above, as such a grant would be impossible due to the very nature of radio common carrier service. It is the determination of this Commission that proceeding in such a manner is in the public interest, and shall provide any potential subscriber the best possible utility service that is most suited to his particular needs.

17. The issuance of a Certificate of Public Convenience and Necessity to each applicant herein for authority to provide radio common carrier service as outlined in each respective application and amendment thereto is in the public interest.

CONCLUSIONS OF LAW

1. Pursuant to W.S. 37-1(f)(ii) the Commission has jurisdiction over all matters pertaining to radio common carriers within the State of Wyoming.
2. The application of each applicant was filed in accordance with Commission Rules.
3. Pursuant to 37-51 et seq., this Commission has jurisdiction over the rates charged and proposed to be charged by each respective applicant.
4. Proper notice of the public hearing held in this matter was given in accordance with W.S. 9-276.25.
5. Pursuant to W.S. 9-276.25(1), this Commission may accept a stipulation in any contested case as a means of disposing of the matters included therein.
6. Each applicant has shown that it possesses the necessary qualifications under law to implement the service proposed in his particular application and amendments thereto, and that such service will benefit the public convenience and necessity.
7. Each applicant should be granted a Certificate of Public Convenience and Necessity to provide the services proposed in its particular application and amendments thereto.

O R D E R

NOW THEREFORE IT IS HEREBY ORDERED THAT:

1. The applications and amendments thereto of Commercial Communications, Inc., Western Radio Communications, Rule Radiophone Service, Inc., and David R. Williams d/b/a Industrial Communications for a Certificate of Public Convenience and Necessity to operate and furnish radio common carrier service to the particular service areas as outlined in the stipulation of September 1, 1977, incorporated herein by reference, be, and the same are hereby approved.

2. Each applicant shall file his proposed rates, charges, rules and regulations for the service herein approved, such to become effective 24 hours after receipt by the Commission or unless otherwise ordered by this Commission.

3. Each applicant is hereby ordered to diligently seek and acquire F.C.C. authority to furnish the radio common carrier service herein approved, with the condition that all operations shall commence within one year after receipt of F.C.C. approval.

4. The protests of Mountain States Telephone and Telegraph Company against the grant of exclusive authority to any applicant in the service area under consideration herein be, and the same is hereby acknowledged, and the authority granted herein is not exclusive and does not preclude Mountain States Telephone and Telegraph Company from providing a similar type of service in the certificated area of each of the applicants.

5. Each and every applicant shall remain subject to the jurisdiction of the Wyoming Public Service Commission for intrastate activities and shall comply with the rules and regulations of the Commission and the laws of the State of Wyoming.

6. This order shall be effective immediately.

MADE and ENTERED at Cheyenne, Wyoming this 29th day of November, 1977.

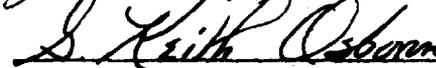
PUBLIC SERVICE COMMISSION OF WYOMING



C. E. JOHNSON, Chairman



JOHN R. SMYTH, Commissioner

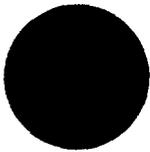


G. KEITH OSBORN, Commissioner

(SEAL)

ATTEST:


JON R. FORWOOD, Assistant Secretary



WYOMING PUBLIC SERVICE COMMISSION

FCC GENERAL DOCKET 93-252

**OMNIBUS BUDGET RECONCILIATION ACT OF 1993
AMENDMENTS TO THE COMMUNICATIONS ACT OF
1934**

**PETITION TO MAINTAIN EXISTING
REGULATORY OVERSIGHT**

RECEIVED

AUG 10 1994

FCC MAIL ROOM

EXHIBIT #9

F

To enter data, click 'Clear Form', then 'Tab' into other blanks. Click arrows to search for entries.

<input checked="" type="radio"/> Member Eliopoulos	Date Opened 8/2/91	Utility * and Name 90000-Unregulated		
		Account *		
Complaint by: By letter	Util. Type: Telecomm.	Category: Rates		
Complaint Re: Business		Service in name of:		
ID*: 90000-Unregulated-WYOMING RCC ASSOCIATION, INC., /8-91				
Complainant Last Name WYOMING RCC ASSOCIATION, INC.		Middle	First Name	
Street Address 212 North Nichols St.		City Casper	ST WY	Zip 82601
Phones Home: (307)		Business (307) 235-5414		Other ()

2nd Complainant Last Name		Middle	First Name	
Street Address		City	ST	Zip
Phones Home: ()		Business ()		Other ()

<input checked="" type="checkbox"/> Welfare	<input type="checkbox"/> Other Aid (describe): _____
<input checked="" type="checkbox"/> LIEAP	_____

Description of the problem

Members wish to advise PSC of apparent unlawful practices by cellular mobile telephone service providers within Wyoming.

RECEIVED

AUG 10 1994

RCC MAIL ROOM

Initial Action Taken by Staff Member Upon Opening of Complaint

Eliopoulos wrote Memo to Cm. and staff re: receipt of complaint.

Resolved? <input checked="" type="radio"/> Yes <input type="radio"/> No	Commission Agenda Item?: <input type="radio"/> Yes <input type="radio"/> No	Formal Hearing? <input type="radio"/> Yes <input type="radio"/> No (Set or Held) <input checked="" type="radio"/> undefined
Enter Date Resolved: 4-14-92		

Date: 8-2-91 Document # 00-Wyomi-8-2-91 Status: 12 06
First Name Middle Name Last Name

Wyoming RCC

Unregulated or Non-jurisdictional

90000

Problem Description

Paragraph # 1

Members wish to advise PSC of apparent unlawful practices by cellular mobile telephone service providers within Wyoming: (1) Provision of service at non-compensatory rates; (2) "Bundling" the sale of equipment with the sale of over-the-air service with the offering of rebates; (3) Charging rates not approved and on file with PSC.
These practices have serious financial consequences on Wyoming's radio common carriers.

M E M O R A N D U M

**TO: CHAIRMAN TUCKER
DEP. CHAIRMAN SMYTH
COMMISSIONER ELLENBECKER
DAVID WALKER
MIKE KORBER
JON JACQUOT
BEVERLY CHAPMAN**

FROM: ALEX J. ELIOPULOS

DATE: AUGUST 5, 1991

**RE: WYOMING COMMON CARRIER ASSOCIATION COMPLAINT
REGARDING ALLEGED IMPROPER RATE AND SERVICE
PRACTICES OF ALL WYOMING INTRASTATE CELLULAR
MOBILE TELEPHONE SERVICE PROVIDERS**

I hereby hand you the above identified complaint. I recommend the Association be requested to provide specific evidence concerning specific cellular carriers so that the Commission can require the carriers to answer under Rule Section 114 and 115.

/ab

WYOMING RCC ASSOCIATION, INC.
212 NORTH NICHOLS STREET
CASPER, WYOMING 82601
(307) 235-5414

RECEIVED

July 29, 1991

AUG 2 - 1991

Alex J. Eliopoulos, Secretary,
Wyoming Public Service Commission
700 West 21st Street
Cheyenne, Wyoming 82002

**Public Service Commission
Wyoming**

Dear Mr. Eliopoulos:

The members of the Wyoming Radio Common Carrier Association are sending you this letter to advise the Public Service Commission of Wyoming of what appears to be unlawful practices being carried out by providers of cellular mobile telephone service within the state of Wyoming. These practices are itemized below:

1. Cellular carriers appear to be providing service at non-compensatory rates. Throughout the nation, it is no secret that cellular carriers are initially offering service at below-cost rates in an effort to attract new subscribers and to build their customer bases. In view of the high monthly cost of operation of the cellular carriers within Wyoming, and the extremely high cost of their plant equipment, it appears that rates presently being charged by cellular carriers within Wyoming fall far short of being compensatory.
2. Some cellular carriers appear to be "bundling" the sale of equipment with the sale of over-the-air service. For some time now, the sale of communications hardware has been deregulated, and is provided on a competitive basis by numerous sales outlets. The sale of over-the-air communications service, however, remains a regulated activity. A common practice exists within the nation of cellular carriers offering a multi-hundred dollar rebate to selected outlets selling cellular radiotelephones if the customer signs up for cellular service in conjunction with the purchase of the equipment. The amount of these rebates to the various sales outlets is inconsistent, with large outlets such as Sears and Radio Shack receiving large rebates, and small locally owned sales outlets receiving much smaller rebates, if any. Since most cellular carriers also sell cellular phones, they also apply these rebates to artificially lower the price of the equipment which they sell. This practice is widespread within Wyoming. In other parts of the nation, these rebates have lowered the price of cellular telephones to where they are almost free, and cellular carriers are frequently losing about one year's regulated airtime revenue in order to sell cellular phones at a loss. The effect is that the

cellular carriers who participate in this practice are cross-subsidizing the sale of equipment by using their regulated income to cover their losses.

3. Some cellular carriers appear to be charging the general public rates not contained within a tariff filed with the Wyoming Public Service Commission. It seems that these cellular carriers have developed a "gimmick" to get around tariffs. They file a "wholesale" tariff, which lists rates offered to potential resellers of cellular airtime, but then offer service to the general public at a completely different rate. In many cases, the rate paid by the general public is actually lower than the "wholesale" rate, thus making the tariffed rate a farce. It appears to us that there are many cases in Wyoming where cellular carriers are not charging the tariffed rate for cellular service. Could you imagine an electric power company filing just a "wholesale" tariff, and then charging any rate they wish to the general public for electrical power?

Since the above listed practices of certain cellular carriers operating within Wyoming are having serious financial consequences on the radio common carriers who provide conventional, non-cellular, mobile telephone service, we request that the Public Service Commission of Wyoming investigate these practices, and take the appropriate action to bring the cellular carriers into compliance with the rules and regulations of the Wyoming P. S. C. and with Wyoming statutes.

Yours truly,



Royce Kellick, President,
Wyoming RCC Association, Inc.

THE STATE



OF WYOMING

MIKE SULLIVAN
GOVERNOR

Public Service Commission

700 W. 21ST STREET

(307) 777-7427
FAX (307) 777-6700

CHEYENNE, WYOMING 82002

BIL TUCKER
CHAIRMAN
JOHN R. "DICK" SMYTH
DEPUTY CHAIRMAN
STEVE ELLENBECKER
COMMISSIONER

August 20, 1991

ALEX J. ELIOPULOS
CHIEF COUNSEL AND
COMMISSION SECRETARY
STEPHEN G. OXLEY
ADMINISTRATOR

Royce Kellick, President
Wyoming RCC Association, Inc.
212 North Nichols Street
Casper, WY 82601

Re: Allegations of unlawful rate and service practices of Wyoming cellular mobile telephone service providers

Dear Mr. Kellick:

This is to acknowledge receipt of your Association's general allegations of unlawful rate and service practices by Wyoming cellular service providers. The Commission requests that your Association, or any member thereof, provide information of specific occurrences, or specific ongoing activities, which they are prepared to support (in public hearings if necessary) as being unlawful. Because such allegations create a contested case under W.S. 16-3-107 of the Wyoming Administrative Procedure Act (WAPA), the Commission must first require an answer or satisfaction of the complaint from each named cellular service provider pursuant to Commission Rules Sections 114 and 115. If the complaint subject matters cannot be resolved by this step as ruled by the Commission, the law requires that the Commission grant the alleged offenders opportunity for a public hearing at which the Complainants would have the burden of proof.

If your Association or members have no evidence of specific illegal activities by any Wyoming cellular service provider, the Commission may, upon your request, meet with representatives of your Association about the general concerns. If your Association plans to file complaints on specific alleged illegal occurrences, the Commission is permitted by the WAPA to