

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska	)	Application No. NUSF-131
Public Service Commission, on	)	Progression Order No. 3
its own motion, to establish	)	
reverse auction procedures and	)	ORDER REVISING PROPOSED
requirements.	)	PROCEDURAL SCHEDULE AND
	)	CLARIFYING DEADLINE
	)	
	)	Entered: April 30, 2024

BY THE COMMISSION:

The Nebraska Public Service Commission ("Commission") initiated this proceeding on June 29, 2021, to establish reverse auction procedures and requirements in order to carry out Neb. Rev. Stat. § 86-330. On April 16, 2024, the Commission entered an order ("April 16 Order") seeking comment on a proposal to conduct a second auction in 2024 ("Second 2024 Auction") and setting a hearing in this matter for May 15, 2024.

Upon review of the April 16 Order, the Commission finds that the proposed procedural schedule attached to that order should be revised to allow for a full ninety-day waiting period to allow interested parties to submit a rural based plan.<sup>1</sup> Commission regulations provide that following the announcement of withheld NUSF support available for use in a reverse auction or rural based plan, a minimum of ninety days must pass before a reverse auction is initiated.<sup>2</sup> This ninety-day period begins when the Commission publicly announces the amount of support withheld and available for use in a reverse auction or a rural based plan, as well as a description of the geographical area in which the available funding may be used.<sup>3</sup> The Commission finds that the April 16 Order met those requirements, and a reverse auction held pursuant to the April 16 Order may therefore begin on or after July 16, 2024.

Any party interested in submitting an application for a rural based plan pursuant to 291 Neb. Admin. Code § 16-001.06 may submit such plan on or before **Monday, July 15, 2024 at 5:00 p.m. Central Time**. Parties may submit applications for rural based plans via email to [psc.nusf@nebraska.gov](mailto:psc.nusf@nebraska.gov). Any application for a rural based plan must meet the criteria set forth in statute and Commission

<sup>1</sup> See 291 Neb. Admin. Code § 16-001.06.

<sup>2</sup> 291 Neb. Admin. Code § 16-001.04(a)(ii).

<sup>3</sup> 291 Neb. Admin. Code § 16-001.03(B).

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regulations. The Commission will consider any rural based plan properly submitted, and any reverse auction to be held pursuant to the April 16 Order will be postponed until consideration of submitted rural based plans has been completed.

Additionally, Commission staff have indicated that eligible bidding areas will be able to be released at an earlier date, on or before May 22, 2024.

The Commission finds that comments responsive to the April 16 Order should be allotted additional time to accommodate any changes pursuant to these revisions. The revised comment deadline is therefore **Wednesday, May 8, 2024, at 5:00 p.m. Central Time**. Parties may submit comments via email to [psc.nusf@nebraska.gov](mailto:psc.nusf@nebraska.gov).

Based upon the foregoing changes, the Commission finds that the proposed procedural schedule attached to the April 16 Order should be revised. A revised proposed procedural schedule is attached hereto as Attachment A. Interested parties may submit comments with regard to this proposed procedural schedule as set forth above.

Hearing in this matter will proceed as previously ordered on **Wednesday, May 15, 2024 at 1:30 p.m. Central Time** in the Commission Hearing Room, 1200 N Street, 300 The Atrium, Lincoln, Nebraska 68508. This Hearing shall be held in person; however, remote access to the hearing will be available via WebEx at the following link: <https://psc.nebraska.gov/stream> (case sensitive). If a witness desires to appear via Webex, please notify Commission Staff in advance so that they may ensure that said witness has the appropriate capability to appear via video and audio.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that comments in this proceeding shall be filed on or before **Wednesday, May 8, 2024, at 5:00 p.m. Central Time.**

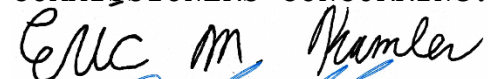
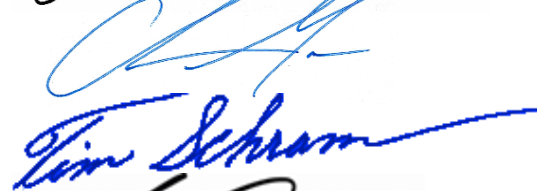

IT IS FURTHER ORDERED that a hearing in this matter shall be held scheduled for **Wednesday, May 15, 2024 at 1:30 p.m. Central Time** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska and via videoconference as described above.

IT IS FURTHER ORDERED that any party interested in submitting an application for a rural based plan pursuant to 291 Neb. Admin. Code § 16-001.06 may submit such plan on or before **Monday, July 15, 2024 at 5:00 p.m. Central Time.**

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 30th day of April, 2024.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chair

ATTEST:

  
Deputy Director

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**Attachment A**

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## Revised Proposed Procedural Schedule Second 2024 Reverse Auction

<u>Event</u>	<u>Date</u>
NUSF-131 PO#3 order releasing available funding and geographical areas entered	Tuesday, April 16, 2024
Comments due	Wednesday, May 8, 2024
Hearing	Wednesday, May 15, 2024, at 1:30 p.m. Central Time
Eligible bidding areas released	On or before Wednesday, May 22, 2024
Pre-Auction Application Forms due	Friday, May 31, 2024
Qualified bidders released	Tuesday, June 25, 2024
Deadline to submit rural-based plans	Monday, July 15, 2024
Bidding begins (if no rural-based plan is submitted)	Monday, July 29, 2024
List of successful bidders released Quiet Period ends	<i>Approximately two weeks following close of Auction</i>
Post-Auction Application Forms due	<i>Date will be announced in a future Commission Order</i>
Final award of bids released	<i>Following review of Post-Auction Commitment Forms</i>