

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) APPLICATION NO. NUSF-25
Public Service Commission, on) Progression Order No. 26
its own motion, seeking to)
establish guidelines for the)
purpose of certifying the use)
of federal universal service)
support.)

In the Matter of the Nebraska) APPLICATION NO. NUSF-66
Public Service Commission, on)
its own motion, seeking to)
establish guidelines for the)
purpose of certifying the use)
of state universal service)
support.) Entered: September 25, 2012

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

1. On May 15, 2007, the Nebraska Public Service Commission (Commission) established a detailed process for verifying whether all federal high-cost support was, in the preceding year, and would be in the next calendar year, used for the intended purpose pursuant to Section 254(e) of the Telecommunications Act of 1996; and whether all state high-cost support was and would be used for its intended purpose pursuant to Neb. Rev. Stat. § 86-324. See Application Nos. NUSF-25/NUSF-66, Progression Order #18 (May 15, 2007). Consistent with the Commission's findings all designated eligible telecommunications carriers (ETCs) and all Nebraska designated eligible telecommunications carriers (NETCs)¹ receiving high-cost support were required to file historical and prospective documentation describing their use of federal and state high-cost universal service support. These annual filings are due on June 1st of each year.

¹ The Commission designates ETCs as eligible to receive federal high-cost universal service fund support pursuant to the Federal Telecommunications Act of 1996. The Commission designates NETCs as eligible to receive state high-cost universal service fund support pursuant to the Nebraska Telecommunications Universal Service Fund Act (NTUSF).

2. On November 18, 2011, the Federal Communications Commission (FCC) issued its Universal Service and Intercarrier Compensation Transformation Order (Transformation Order)² which, *inter alia*, modified the certification requirements for ETCs. Among the changes 47 C.F.R. § 54.314 requires state commissions, after conducting a detailed review of ETC's historical and prospective documentation describing the use of federal universal service support, must determine whether universal service support was used for its intended purpose in the preceding calendar year and will be used for its intended purpose in the following calendar year.

3. By June 1st of this year, each eligible telecommunications carrier (ETC) and each Nebraska eligible telecommunications carrier (NETC) was required to file with the NTIPS Department an adequate description of how the high-cost funding support has been used and an adequate description of how high-cost support will be used during the coming year.

4. Upon completion of its review, the Commission finds that the following carriers adequately filed information demonstrating that they have used all federal high-cost support in the preceding calendar year, and will continue to use all federal high-cost universal service support in the coming year for the provision, maintenance and upgrading of facilities and services for which support is intended, pursuant to 47 C.F.R § 54.314 (May 8, 2012) and WC Docket No. 10-90:

Allo Communications, LLC
Alltel Wireless³
Arapahoe Telephone Company dba ATC Communications
Arlington Telephone Company
Benkelman Telephone Company, Inc.

² See *In the Matter of Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link Up; Universal Service Reform-Mobility Fund*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (November 18, 2011)(Transformation Order).

³ Alltel Wireless filed documentation showing the use of high-cost support in the preceding year but not for the upcoming calendar year due to the anticipated phase-out of federal high-cost support. Alltel Wireless has been included in this Order for the purpose of certifying that its high-cost support was used in the preceding year for the provision, maintenance and upgrading of facilities and services.

Blair Telephone Company
Cambridge Telephone Company
Citizens Telecommunications Company of Nebraska,
Inc., aka Frontier
Clarks Telecommunications Company
Consolidated Telco, Inc.
Consolidated Telecom, Inc.
Consolidated Telephone Company
Cozad Telephone Company
Curtis Telephone Company, Inc.
Dalton Telephone Company, Inc.
Diller Telephone Company
Eastern Nebraska Telephone Company
Elsie Communications, Inc.
Glenwood Telephone Membership Corporation
Golden West Telecommunications Cooperative, Inc.
Great Plains Communications, Inc.
Hamilton Telephone Company
Hartington Telecommunications Company, Inc.
Hartman Telephone Exchanges, Inc.
Hemingford Cooperative Telephone Company
Henderson Cooperative Telephone Company
Hershey Cooperative Telephone Company
Hooper Telephone Company dba WestTel Systems
Huntel Cablevision dba Huntel Communications
K & M Telephone Company, Inc.
Keystone-Arthur Telephone Company
Mobius Communications
Nebraska Central Telephone Company
Nebraska Technology and Telecommunications, Inc.
NE Colorado Cellular d/b/a Viaero Wireless
Northeast Nebraska Telephone Company
Orbitcom, Inc.
Pierce Telephone Company, Inc.
Pinpoint Communications
Pinpoint Wireless, Inc.⁴
Plainview Telephone Company, Inc.
Qwest Corporation
Rock County Telephone Company
Sodtown Telephone Company
Southeast Nebraska Communications, Inc.
Stanton Telecom, Inc.

⁴ Pinpoint Wireless, Inc. was designated as an ETC in 2012. Accordingly, the Commission certifies Pinpoint Wireless, Inc. on the basis of the prospective use of high-cost support as provided in the approved application.

Three River Telco
Three River Communications
United Telephone Company of the West d/b/a
CenturyLink
U.S. Cellular Corporation (USCC)
Vivian Telephone Company
Wauneta Telephone Company
Windstream Nebraska Inc.

5. Accordingly, the Commission will provide certification to the Administrator of the federal high-cost universal service support mechanisms and the FCC, that the above-listed carriers have used and will continue to use federal high-cost universal service support only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended in accordance with § 254(e) of the Telecommunications Act of 1996, as amended.

6. The Commission may continue to review the ETC/NETC filings on an ongoing basis. The Commission may modify its requirements or thresholds for certification. Therefore, the certification in this Order shall not be construed as precedent as to whether levels of investment or types of investment will be considered acceptable by the Commission in the future.

7. As such, the NTIPS Department should continue its review of the ETC/NETC filings and notify the carrier with any concerns with the June 2012 ETC/NETC verification filings. The Commission will give the carrier an opportunity for a hearing with respect to any concerns which would cause the Commission to conclude that an ETC's or NETC's high-cost certification should be de-certified or revoked.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Department certify to the Administrator of the federal high-cost universal service support mechanisms and the Federal Communications Commission, that the above-listed eligible telecommunications carriers have used and will continue to use in the coming year federal high-cost support only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended in

accordance with § 254(e) of the Telecommunications Act of 1996, as amended.

MADE AND ENTERED at Lincoln, Nebraska this 25th day of September, 2012.

COMMISSION

NEBRASKA PUBLIC SERVICE

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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accordance with § 254(e) of the Telecommunications Act of 1996, as amended.

MADE AND ENTERED at Lincoln, Nebraska this 25th day of September, 2012.

NEBRASKA PUBLIC SERVICE
COMMISSION

COMMISSIONERS CONCURRING:

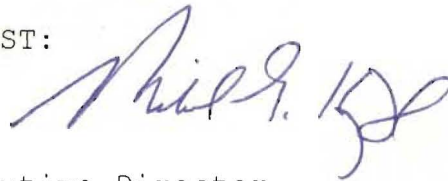


Vice Chairman



//s//Anne C. Boyle
//s//Frank E. Landis

ATTEST:



Executive Director