

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska                    ) Application No. NUSF-69.10  
Public Service Commission,                    )  
on its own Motion, seeking to                )  
implement policies and procedures            )  
related to providing dedicated                ) Reimbursement Order  
universal service support for                )  
wireless telecommunications                )  
services: N.E. Colorado Cellular,            )  
Inc., d/b/a Viaero Wireless.                ) Entered: January 22, 2014

BY THE COMMISSION:

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

By Petition filed July 1, 2011, N.E. Colorado Cellular Inc. d/b/a Viaero Wireless (Viaero), sought support from the Nebraska Universal Service Fund (NUSF) dedicated wireless program. Notice of the application appeared in the Daily Record, Omaha, Nebraska on July 8, 2011. The Commission allocated \$5 million for the 2011 NUSF calendar funding year in which this Petition was filed.

A public hearing on the application was held on December 13, 2011 in Lincoln, Nebraska. On January 4, 2012, the Commission granted Viaero's funding request, in part.

The Commission approved reimbursement up to the estimated construction costs contained in the application for the 9 approved sites in the amount of **\$3,275,480** or the **actual cost** of construction for the tower sites approved whichever was lower. The Nebraska Telecommunications Infrastructure and Public Safety Department (NTIPS Department) staff has reviewed the invoices filed by Viaero.

The reimbursement request for the Rothwell and Horseshoe Bend locations exceeded the estimated costs contained in the application. However, the reimbursement request for the construction of the remaining towers was lower than the estimated costs contained in the application. Viaero seeks an order from the Commission to permit the NTIPS Department to reimburse Viaero for the full amount of the Rothwell and Horseshoe Bend locations which is \$408,314.62 and \$323,711.57 respectively. In its application, Viaero estimated its construction costs to be \$404,350.96 for the Rothwell site. Viaero is seeking approval for the additional \$3,963.66 using the amounts unused for the other approved tower sites. The

Horseshoe Bend site was approved, in part, for \$41,153 which is comprised of the total remaining funding for that year. Viaero seeks reimbursement for the additional \$282,558.57 using authorized amounts not used for other tower sites.

Given that the amount of reimbursement sought is reasonable based on the NTIPS Department staff's review of the invoices and taking into consideration the fact that the reimbursement request for the 7 other tower sites was lower than the estimates provided in the application, the Commission is of the opinion and finds that the reimbursement request for the Rothwell and Horseshoe Bend tower sites should be granted. The NTIPS Department staff is permitted to reimburse Viaero for the Rothwell and Horseshoe Bend locations for the amount matching the invoices provided by Viaero.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Order entered on January 4, 2012 is modified as provided herein.

MADE AND ENTERED at Lincoln, Nebraska this 22nd day of January, 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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Given that the amount of reimbursement sought is reasonable based on the NTIPS Department staff's review of the invoices and taking into consideration the fact that the reimbursement request for the 7 other tower sites was lower than the estimates provided in the application, the Commission is of the opinion and finds that the reimbursement request for the Rothwell and Horseshoe Bend tower sites should be granted. The NTIPS Department staff is permitted to reimburse Viaero for the Rothwell and Horseshoe Bend locations for the amount matching the invoices provided by Viaero.

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## NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Arne Bueh*  
*Tim Schram*  
*Rebecca Jensen*  
*David L. Chap*

Chairman

ATTEST:

*Steve Meredith*  
Executive Director

//s//Frank E. Landis