

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. NUSF-69.14
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 26, 2016

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, 2013, 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, 2013. A Petition of Formal Intervention was filed by Pinpoint Wireless, Inc. d/b/a BLAZE Wireless ("BLAZE"). Said Petition was granted on August 13, 2013. A Petition of Informal Intervention was filed by the Rural Telecommunications Coalition of Nebraska ("RTCN"). The Petition was granted by the Hearing Officer on September 18, 2013. A public hearing on the application was held on November 4, 2013 in Lincoln, Nebraska with appearances as shown above.

On November 25, 2013, the Commission approved reimbursement for construction costs contained in the application for six approved sites in the amount of **\$2,279,001.00** or the **actual cost** of construction for the six 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 Brewster North and Taylor 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 Brewster North and Taylor locations which are \$449,216.46 and \$575,226.97 respectively. In its application, Viaero estimated its construction costs to be \$402,019.86 for the Brewster North

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site. Viaero is seeking approval for the additional \$47,196.60 using the amounts unused for the other approved tower sites. Viaero estimated its construction costs to be \$290,757.30 for its Taylor site. Viaero seeks reimbursement for the additional \$284,469.67 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 four 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 Brewster North tower site should be granted. The reimbursement request for the Taylor site should be granted up to an additional \$249,792.32 which will bring the total reimbursement for the six tower sites up to the amount of \$2,279,001.00. The NTIPS Department staff is permitted to reimburse Viaero for the Brewster North and Taylor locations for the amount matching the invoices provided by Viaero as provided herein.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Order entered on November 25, 2013, is modified as provided herein.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 26th day of January, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. May

Crystal Knader

Bob Johnson

//s//Frank E. Landis
//s//Tim Schram

Tim Schram

Chairman

ATTEST:

Jeffrey L. Puley

Executive Director