BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska Public Service Commission, on its Own Motion, to Administer the Nebraska Universal Service Fund Broadband Program.	)	Application No. NUSF-92
	)	Progression Order No. 5
	)	
	)	ORDER SEEKING COMMENTS
	)	
	)	Entered: October 27, 2015

BY THE COMMISSION:

In today's Order, the Commission continues its efforts to transition its broadband programs by sizing the programs and seeking further comments. Herein, the Commission identifies the program eligibility and budgets for the 2016 calendar year.

The Commission proposes to continue its NUSF-92 broadband support; however, in light of its findings relative to NUSF-50 and NUSF-99, the Commission proposes to allocate the remaining support to NUSF-92 broadband grants as follows:

Wireless Broadband Infrastructure

The Commission proposes to allocate $4 million towards Wireless Broadband Infrastructure projects similar to the projects supported through the Commission's docket in NUSF-69. The Commission further proposes to keep the twenty-five percent match requirement as it continues to believe this requirement will leverage more support and provider commitment to the deployment of wireless broadband in unserved and underserved areas of the state. Initially, the Commission believed it would be more efficient to support all broadband projects through the same methodology. However, during the course of the NUSF-92 grant proceedings, the Commission's blended treatment of the technologies supported by the grant program became problematic. Arguments raised by both the wireless and wireline providers forced the Commission to create distinctions and separately consider wireless and wireline services.[1] The continued delineation between wireless and wireline services will make support more targeted for consumers lacking wireless broadband service in Nebraska and predictable for carriers seeking support.

Over the next few months, the Commission proposes to develop a methodology for determining the allocation of

[1] *See* Progression Order No. 2 (September 3, 2014).

wireless support. In light of the fact that it will no longer have updates to the broadband mapping data, the Commission seeks comment as to whether it should continue to utilize the broadband mapping data, supplemented by the Commission's own information relative to wireless broadband projects. Should the burden be placed upon the applicant to demonstrate the area is unserved or underserved? Should the Commission rely upon the Form 477 data filed with the Federal Communications Commission? Is this data the wireless carriers would be willing to file with the Commission?

In addition to, or as an alternative, in NUSF-69, the Commission ranked and scored projects using the cell tower location records and population density. The Commission seeks comment on whether these factors should be used in determining support. What other factors, if any, should the Commission use to determine wireless support? Should the Commission consider road traffic data? If so, should the Commission allow applicants to submit such data with their applications? Is this data wireless carriers have readily available? Is road traffic data publicly accessible from other sources? What other information would be pertinent to the Commission's consideration of wireless broadband projects?

Wireline Broadband Infrastructure

The Commission proposes to allocate $1 million for limited wireline broadband infrastructure projects in high cost rate-of-return carrier areas of the state with the twenty-five percent match continuing as before. The Commission seeks comment on this proposal. In addition, the Commission seeks comment on how the project areas should be considered in light of the fact that the Commission will no longer have updates to the broadband mapping data. Should the Commission continue to utilize the broadband mapping data it has collected from providers supplemented by the Commission's own information relative to wireline broadband coverage? Should the burden be placed upon the applicant to demonstrate the area is unserved or underserved? Should the Commission rely upon the Form 477 data? Given the fact that the Commission proposes to set the overall grant amount at $1 million, should the Commission retain the same per project cap? Finally, should the Commission utilize the same standards for determining support including how it targets support to unserved and underserved areas?

Broadband Adoption

The Commission proposes to allocate $500,000 for broadband adoption projects. Even though the results from the 2015 broadband adoption grants are not yet known, the Commission will continue to test projects in the 2016 calendar year. The Commission would propose to open the application window on December 14, 2015 and ending January 29, 2016.

Comment Deadline and Procedure

Comments responsive to the questions and proposals set forth herein and any other germane issue should be filed by interested parties on or before **November 20, 2015.** Interested parties should file one (1) original paper copy and one (1) electronic copy in Word or PDF format to Brandy.Zierott@nebraska.gov and Sue.Vanicek@nebraska.gov. Commenters are free to propose alternative recommendations and propose methods for distribution of support as well.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the proposals set forth herein be, and they are hereby, open for public comment.

IT IS FURTHER ORDERED that comments responsive to the Commission's order shall be filed in the manner and timeframe provided above.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 27th day of October, 2015.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

//s//Frank E. Landis
//s//Gerald L. Vap