

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the	)	Application No. NUSF-108
Nebraska Public Service	)	Progression Order No. 3
Commission, on its own	)	
Motion, to make adjustments	)	
to its high-cost distribu-	)	ORDER AUTHORIZING PAYMENTS
tion mechanism and make	)	AND COMMENCING CHALLENGE
revisions to its reporting	)	PROCESS
requirements.	)	
	)	Entered: October 29, 2019

BY THE COMMISSION:

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

The Commission, on an annual basis, has given the staff authorization to disburse Nebraska Universal Service Fund (NUSF) support to qualifying Nebraska eligible telecommunications carriers (NETCs) pursuant to methodology set in place by the Commission. On January 29, 2019, in the above-captioned docket, the Commission gave authorization to the staff to make disbursements in an amount up to \$29,161,992.00 in high-cost wireline support.

Due to a change in NUSF remittance receipts during 2019, the amount of support made available for high-cost distribution has been increased. The increase has been applied evenly across both price cap and rate-of-return budgets.

For the calendar year of 2019, the Commission hereby authorizes its staff to pay up to \$38,161,992.00 in high-cost wireline support pursuant to the model adopted by the Commission in NUSF-26 as modified by subsequent orders issued in NUSF-50 on December 19, 2006 and NUSF-108. The revised 2019 high-cost support distribution is available on the Commission's website at <http://www.psc.nebraska.gov>.

***Challenge Process for Calendar Year 2020 Determination***

Consistent with the findings in NUSF-108, Progression Order No.3, the Commission directs the staff to release the initial list of census blocks to commence the challenge process for the determination of 2020 high-cost support. The staff shall

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post the list of census blocks on the Commission website on or before November 1, 2019. All challenges must be filed with the Commission on or before 5:00 p.m. central time on December 11, 2019.

Challenges must include the specific list of blocks being challenged and the basis for which the challenge is being offered. Examples of such grounds may include, but are not limited to, the following: 1) blocks that are served at 25/3 by the incumbent provider; 2) blocks that are served by a competitive wireline provider at 25/3 or greater which offers voice service; 3) blocks that are incorrectly identified as being served at 25/3, and should be eligible for buildout support; or 4) A-CAM eligible locations that have been built to 25/3 during the calendar year 2019, but not yet reported to the HUBB. Interested parties filing challenges to the staff's initial list of census blocks must file an electronic copy as well as a paper copy with the Commission on or before the deadline set forth above. Electronic copies may be sent to [Cullen.Robbins@nebraska.gov](mailto:Cullen.Robbins@nebraska.gov) and [Brandy.Zierott@nebraska.gov](mailto:Brandy.Zierott@nebraska.gov). In addition, copies of challenges must be served on any other carrier(s) whose census blocks may be affected by the challenge.

Unless otherwise subsequently determined, the Commission plans to release the vetted list of census blocks on or around January 14, 2020, along with an updated high-cost budget for calendar year 2020.

O P D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the staff be authorized to make revised high-cost program disbursements for calendar year 2019 as described above.

IT IS FURTHER ORDERED that interested parties filing challenges to the staff's list of census blocks must file an electronic copy as well as a paper copy with the Commission on or before December 11, 2019.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 29th  
day of October, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



Chair

ATTEST:



Executive Director

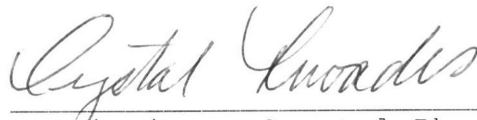


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Commissioner Crystal Rhoades Dissenting:

I respectfully dissent from the portion of the Order which increases NUSF support to price cap carriers. In particular, Windstream has been using NUSF support to deploy broadband using a fixed wireless service instead of building out fiber further into their networks. I believe a better use of support would be for the deployment of fiber. Customers have stated repeatedly to the Commission that they do not want fixed wireless and fixed wireless has not demonstrated an ability to offer service comparable to fiber based broadband. Additionally, fixed wireless has not demonstrated that it is a less expensive alternative to fiber. Fiber has a substantially longer life and is far more reliable and doesn't need to be replaced or upgraded at the same rate as fixed wireless technology. As of today the price cap carriers have 16.7 million in allocated and unused support available to them for deployment. That is in addition to 28 million in support already allocated to the price cap carriers for projects that are in progress. Moreover, I do not believe CenturyLink is making a robust effort in Valentine even though the Commission has committed \$15 million in support for that exchange. Finally, the Nebraska Universal Service Fund has other program areas and the budgets for those programs have not increased in decades. Those programs include Nebraska Telephone Assistance Program, Telehealth, and rural cellular deployment. All three of those programs provide services to rural Nebraskans and the Commission should be looking to use the additional collections to fund those programs as well as the high cost fund. For these reasons, I would vote to keep the price cap carrier budget the same until such time they use their current allocations, complete projects in progress, and commit to providing robust services the taxpayers are funding.



Commissioner Crystal Rhoades