

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. NUSF-117  
Public Service Commission, on )  
its own motion, to consider )  
implementing a program to ) ORDER SEEKING FURTHER COMMENT  
incentivize new fiber ) AND SETTING HEARING  
construction for E-rate )  
eligible entities. )  
) Entered: March 3, 2020

BY THE COMMISSION:

The Nebraska Public Service Commission (Commission) initiated this proceeding to consider implementing a program within the Nebraska Universal Service Fund (NUSF) to incentivize new fiber construction for E-rate eligible entities.

In 2018, LB 944 created the Rural Broadband Task Force to review issues relating to availability, adoption, and affordability of broadband services in rural areas of Nebraska. Last October, the Rural Broadband Task Force released its Findings and Recommendations. Among its recommendations, the task force encouraged the implementation of a program within the NUSF to incentivize new fiber construction to public libraries in order to maximize federal support through the Federal Communications Commission's (FCC) E-Rate Special Construction program.

The federal E-Rate program provides support for broadband connections in schools and libraries under two categories of service: Category 1 services to a school or library (telecommunications, telecommunications services, and internet access), Category 2 services that deliver internet access within schools and libraries (internal connections, basic maintenance of internal connections, and managed internal broadband services). The E-Rate program includes a matching program for special construction charges for high-speed broadband. The E-Rate program will increase an applicant's discount rate for these charges up to an additional 10 percent. However, the E-Rate program will only match funding for special construction projects if the source of funding is authorized directly by a state legislature or one or more state agencies.

If a state provides eligible carriers with funding for special construction charges for high-speed broadband, E-Rate matching funds will only be approved if the special construction project will provide high-speed broadband connections that meet the FCC's connectivity targets (100 Mbps for public libraries under 50,000