

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application Nos. NUSF-99.81,
Public Service Commission, on) 99.82, 99.83, 99.84, 99.85,
its own Motion, to Administer) 99.86, 99.87, 99.88, 99.89,
the Universal Service Fund High) 99.90, 99.91, 99.92, 99.93,
Cost-Program: Windstream) 99.94, 99.95, 99.96, 99.97,
Nebraska, Inc. Broadband Grant) 99.98, 99.99, 99.100, 99.
Requests: Crete FW Northeast) 101, 99.102, 99.103, 99.104,
RL05, Crete FW East RL06, Crete) 99.105, 99.106, 99.107,
FW Extreme East RL07, Crete FW) 99.108, 99.109, 99.110,
South RL09, Crete FW West RL11,) 99.111, 99.112, 99.113,
Southwest Denton FW RL02,) 99.114, 99.115, 99.116, and
Southeast Denton FW RL04,) 99.117
Dorchester FW CO, Dorchester FW)
Southeast RL05, Milford FW)
Northwest RL01, Milford FW West)
RL02, Milford FW Southwest RL04,)
Milford FW Southeast RL06,)
Milford FW Northeast RL09,)
Palmyra FW CO, South Palmyra FW)
RL02, North Palmyra FW RL03,) PETITION OF FORMAL
South Pleasant Dale FW RL03,) INTERVENTION GRANTED
South Pleasant Dale FW RL03,)
North Pleasant Dale FW RL05,)
West Seward FW RL01, South)
Seward FW RL03, East Seward FW)
RL05, North Seward FW RL08,)
Northeast Seward FW RL09, East)
Waco FW RL01, South Waco FW)
RL02, Waverly FW Southeast RL04,)
Waverly FW Northwest RL06, North)
Waverly FW RL07, Wilber FW North)
RL01, Wilber FW West RL03,)
Wilber FW West RL06, York FW)
Northeast RL02, York FW South)
RL03, York FW Northeast RL04,)
York FW North RL05, and York FW)
West RL06.) Entered: March 5, 2020

BY THE HEARING OFFICER:

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

By Petition filed January 10, 2020, Arapahoe Telephone Company, Benkelman Telephone Company, Inc., Cambridge Telephone Company, Cozad Telephone Company, Diller Telephone Company, Glenwood Network Services, Inc., The Glenwood Telephone Membership Corporation, Hartman

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Telephone Exchanges, Inc., Hemingford Cooperative Telephone Co., Mainstay Communications, Pierce Telephone Company, Plainview Telephone Company, Southeast Nebraska Communications, Inc., Stanton Telecom, Inc., Wauneta Telephone Company, and Westel Systems (collectively, "Rural Telecommunications Coalition of Nebraska" or "Petitioners"); and Diode Communications ("Diode" or "Protestant") by and through their attorneys pursuant to Neb. Admin. Code, Title 291, Chapter 1, § 002.12, seeks formal intervention status in the above-captioned applications. In the Petition, the Petitioners and Protestant state that each is an incumbent local exchange carrier that receives support from the NUSF. Further, Petitioners state that Protestant and other carriers are currently delivering advanced communications and voice-capable service in the areas of the projects identified in the applications.

On January 15, 2020, Windstream Nebraska, Inc. ("Windstream") through counsel, submitted a response in opposition to the Petition for Formal Intervention and Protest. Windstream stated that the Petitioners did not satisfactorily identify any legal right or interest affected by these proceedings. As hearing officer, I find the the above-named Petitioners and Protestant sufficiently identified facts demonstrating that their legal rights, duties, privileges, immunities, or other legal interests which may be substantially affected by the proceeding. Accordingly, I find the Petition for Formal Intervention should be granted and the Protest shall be deemed accepted.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer in the above-captioned matter that the Petition for Formal Intervention and Protest filed by the Petitioners in the above-captioned matter be, and it is hereby, granted as provided herein.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 5th day of March, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

By: 
Crystal Rhoades
Hearing Officer