

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Application No. NUSF-92.56
Public Service Commission, on its)	
own motion, seeking to administer)	
the Nebraska Universal Service)	ORDER GRANTING MOTION FOR
Fund's Broadband Program:)	EXTENSION OF TIME
Application to the Nebraska)	
Broadband Program received from NE)	
Colorado Cellular, Inc., d/b/a)	
Viaero Wireless.)	Entered: April 12, 2022

BY THE COMMISSION:

By Motion filed March 10, 2022, NE Colorado Cellular, Inc., d/b/a Viaero Wireless ("Viaero" or "Petitioner") requests an extension of time to complete the approved projects in the above-captioned application. On June 2, 2020, the Commission entered an order in this docket approving NUSF support for five projects identified as the Cordova, Loma, Lushton, Stockham, and Worms tower sites, respectively. As part of its application for funding for these sites, Viaero included a deployment schedule estimating completion of the projects to be approximately twenty-four months.

In its Motion, Viaero states that a jurisdictional change has affected the Cordova tower site; namely, the Village of Cordova has extended its limits by one mile, to include the proposed tower site. Viaero states that as a result, it has experienced a permitting delay in receiving approval to construct the Cordova project. Viaero also states that its Worms tower site has been required to be redesigned following receipt of a Geotechnical Engineering Report for the soils located on the Worms Project. Viaero therefore requests an extension of an additional six (6) months from the original estimated completion date of June 2, 2022 to December 2, 2022. Viaero states that this extension would allow Viaero sufficient time to receive approval of the necessary permits for Cordova, and construct the redesigned tower for Worms. Viaero will continue to monitor the progress of the approved projects and apprise the Commission of the status through regular status reports.

The Commission generally requires projects to be complete within two years of approval. However, the Commission has granted extensions of time for good cause shown. In this case, the Commission finds that circumstances outside of Viaero's control have led to the delays described in its Motion. The Commission is of the opinion and

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finds the Motion for Extension of Time to Complete Proposed Projects should be granted. Accordingly, Viaero has until December 2, 2022 to complete the Cordova and Worms projects as requested. The deadline for the Loma, Lushton, Stockham projects will remain as June 2, 2022.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that that the Motion for Extension of Time to Complete Proposed Projects filed by NE Colorado Cellular, Inc., d/b/a Viaero Wireless shall be, and is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 12th day of April, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Rod Johnson
Mary Kadden
Tim Schram


Chair

ATTEST:


Executive Director