

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,)	Application No. NUSF-4
on its own motion, seeking to)	Progression Order No. 28
determine the level of the fund)	
necessary to carry out the)	ORDER SETTING SURCHARGE
Nebraska Telecommunications)	
Universal Service Fund Act)	
beginning July 1, 2022.)	Entered: May 24, 2022

BY THE COMMISSION:

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

On April 12, 2022, the Nebraska Public Service Commission ("Commission") opened the above-captioned Progression Order in this docket to determine the surcharge for the statewide Nebraska Telecommunications Universal Service Fund ("NUSF") for the upcoming fiscal year. The Commission is charged under Neb. Rev. Stat. § 86-328 with the duty of holding a public hearing each year to determine the level of fund necessary to carry out the provisions of the Nebraska Telecommunications Universal Service Fund Act.

In its April 12 Order, the Commission set a hearing in this matter for May 3, 2022. Notice of this hearing appeared in the Lincoln Journal Star of Lincoln, Nebraska, the Omaha World Herald of Omaha, Nebraska, and in The Daily Record of Omaha, Nebraska, on April 18 and 25, 2022. A public hearing on this matter was held in the Commission Hearing Room, Lincoln, Nebraska on May 3, 2021. Sallie Dietrich appeared for the Telecommunications and NUSF Department of the Commission ("Department"). Paul Schudel appeared on behalf of the Rural Independent Companies ("RIC"). Exhibits 1 through 4 were entered into the record.

Cullen Robbins testified on behalf of the Department. Mr. Robbins described the NUSF fund balance, noting that of the approximately \$105.4 million balance, \$90.2 million has been committed to programs in place.¹ Mr. Robbins noted that about \$71 million of those dollars are allocated to the NUSF-99 program, including projects in progress, projects awaiting reimbursement,

¹ Transcript at 7.

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and \$13 million to be made available in a reverse auction.² Mr. Robbins further testified that additional budget allocations in 2022 are intended to use some of the remaining balance in the fund.³

Mr. Robbins testified that the changes made to the NUSF remittance mechanism have stabilized the fund.⁴ Mr. Robbins stated that he supports the NUSF Advisory Board's recommendation to maintain the current surcharges while we continue to analyze the impacts of the change.⁵

Following Mr. Robbins' testimony, Paul Schudel offered a statement on behalf of RIC.⁶ Mr. Schudel stated that RIC recommends the current surcharge rates remain in place for the fiscal year 2022-2023.⁷ Mr. Schudel also noted that the revenue obtained to date did not meet the revenue projected in Commission Docket No. NUSF-119.⁸ Mr. Schudel stated that every effort should be made to maintain the 2023 high cost budget at a minimum of \$46 million.⁹

Following Mr. Schudel's testimony, no other exhibits were offered and no other witnesses testified. The hearing was then closed.

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

The Commission has considered the testimony and exhibits provided in this proceeding. Upon review of the recommendations offered by the NUSF Advisory Board, the Department, and by RIC, the Commission finds that the NUSF surcharge should remain at its current level. Therefore, the Commission finds that for the fiscal year beginning on July 1, 2022, the NUSF surcharge level for services identified in NUSF-119 which are subject to the connections-based contribution mechanism shall remain at \$1.75 per

² *Id.*

³ *Id.*

⁴ *Id.* at 9.

⁵ *Id.* See also Ex. 3, NUSF Advisory Board Letter.

⁶ A copy of this statement was entered into the record as Exhibit No. 4.

⁷ Transcript at 13.

⁸ *Id.* at 13-14.

⁹ *Id.* at 15.

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connection. All other services will remain at 6.95 percent of assessable revenues.

O R D E R

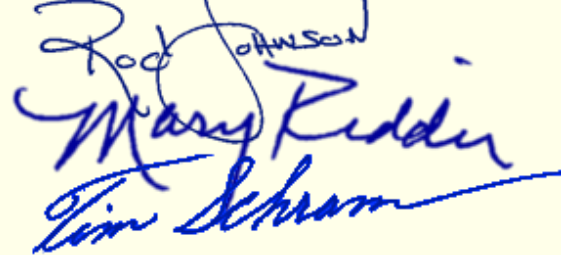
IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that for the fiscal year beginning July 1, 2022, the Nebraska Telecommunications Universal Service Fund surcharge level for services identified in NUSF-119 which are subject to the connections-based contribution mechanism shall remain at \$1.75 per connection, and that all other services will remain at 6.95 percent of assessable revenues.

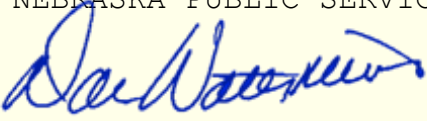
IT IS FURTHER ORDERED that all affected telecommunications companies are hereby required to collect said surcharge and remit it to the Nebraska Public Service Commission as set forth herein and as required by the Commission's Rules and Regulations.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 24th day of May, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:




Chair

ATTEST:


Executive Director