

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	Application No. C-5384/
Application of Cable One VoIP,)	NUSF-134
LLC, Phoenix, Arizona, seeking)	
to relinquish its eligible)	ORDER GRANTING WITHDRAWAL OF
telecommunications carrier)	ELIGIBLE TELECOMMUNICATIONS
designation in the State of)	CARRIER DESIGNATION
Nebraska.)	
)	
)	Entered: July 12, 2022

BY THE COMMISSION:

By application filed March 28, 2022, Cable One VoIP, LLC, ("Cable One") of Phoenix, Arizona seeks permission to relinquish its Eligible Telecommunications Carrier ("ETC") designation pursuant to Section 214(e)(4) of the Telecommunications Act of 1934, as amended (the "Act"), 47 U.S.C. § 214(e)(4), and Section 54.205 of the Federal Communication Commission's ("FCC") rules, 47 C.F.R § 54.205. Notice of the application was published in The Daily Record, Omaha, Nebraska, on March 30, 2022. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

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

Cable One has been designated as an ETC in this state since May 25, 2021, pursuant to the Commission's order in Docket C-1693.¹ Cable One sought ETC designation in Nebraska subsequent to an initial award in the Rural Digital Opportunity Fund ("RDOF") auction administered by the Federal Communications Commission ("FCC"). However, in the course of the FCC's review of initial awards in RDOF, Cable One determined that it would not seek RDOF support in the census blocks for which Cable One received ETC designation in Nebraska. Consistent with 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205, Cable One has therefore requested permission to relinquish its ETC designation.

Cable One states that this request will serve the public interest as Cable One will not be receiving RDOF funding in Nebraska, and there are other ETCs operating in the geographic areas for which Cable One is designated as an ETC. Cable One states that no Nebraska customers will be impacted by the withdrawal of

¹ *In the Matter of the Application of Cable One VoIP LLC, Phoenix, Arizona, seeking designation as an Eligible Telecommunications Carrier in the State of Nebraska*, Docket C-5226/NUSF-127 (May 25, 2021).

its ETC designation, and that it does not serve any customers in Nebraska pursuant to its ETC status.

According to 47 U.S.C. § 214(e)(4), a State commission "shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier." This section further requires that the relinquishing ETC "shall give advance notice to the state commission . . . of such relinquishment." Prior to permitting the ETC to cease providing universal service, the Commission "shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier." The Commission finds that Cable One meets these requirements.

Based on the foregoing, the Commission finds that Cable One satisfies the requirements of 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205 and that its application for relinquishment of ETC designation should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-5384/NUSF-134 shall be, and is hereby, granted.

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

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Brander
Mary Kadden
Tim Schram

Don Watson
Chair

ATTEST:

Thomas W. Golden
Executive Director