

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska Public Service Commission, on its own motion, to require certificated local exchange carriers, interexchange carriers, and eligible telecommunications carriers in Nebraska to attest as to whether they are using or deploying communications equipment prohibited by the Federal Communications Commission.) Application No. C-5493/PI-245

In the Matter of the Nebraska Public Service Commission, on its own motion, to require communications providers in Nebraska to attest as to whether they are using or deploying communications equipment prohibited by the Federal Communications Commission.) Application No. C-5520/PI-246 ORDER CONSOLIDATING DOCKETS AND PUBLISHING UPDATED LIST OF ENTITIES USING OR DEPLOYING PROHIBITED EQUIPMENT) Entered: November 7, 2023

BY THE COMMISSION:

The Nebraska Public Service Commission ("Commission"), on its own motion, opened the above captioned dockets for the purpose of ensuring that recipients of funding for broadband, including regulated carriers and communications providers, as well as carriers receiving Nebraska Universal Service Fund ("NUSF") support, are in compliance with Executive Order No. 23-05 and subsequently codified Nebraska Revised Statutes.

On February 22, 2023, Governor Jim Pillen signed executive order No. 23-05¹ ("Executive Order") which prohibits the State from awarding any grant funding designated for broadband deployment in Nebraska to any provider using or deploying communications equipment and services developed by organizations on the FCC's Covered List.² The Nebraska Legislature subsequently codified Neb.

¹ Exec. Order No. 23-05 (February 22, 2023).

² The current Covered List is maintained by the FCC at <https://www.fcc.gov/supplychain/coveredlist>. Detailed information regarding the creation and maintenance of this list can be found at 47 C.F.R. § 1.50000 et seq.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application Nos. C-5493/PI-245 & C-5520/PI-246

Page 2

Rev. Stat. §§ 86-125 (4)(c) and 86-324 2(d) to require the Commission to ensure all communications providers in Nebraska are not using or deploying any communications equipment or service deemed to pose a threat to national security identified on the Covered List, and required the Commission to withhold support distributed from the NUSF to any telecommunications company using or providing any communications equipment or service deemed to pose a threat to national security identified on the Covered List developed pursuant to 47 C.F.R. 1.50002.³

The Commission administers various programs within which state and federal funds for the deployment of broadband infrastructure are awarded. These programs include the Nebraska Broadband Bridge Program, federal Capital Projects Funds awards, and the Precision Agriculture Grant Program. Grant awardees in these programs must attest that they will not use equipment on the Covered List before funds are distributed. As such, the Commission finds that it should maintain information regarding the use of prohibited equipment by entities certificated in Nebraska.

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

On March 28, 2023, in order to comply with Governor Pillen's Executive Order, the Commission opened Docket No. C-5493/PI-245 to require certificated local exchange carriers, interexchange carriers, and eligible telecommunications carriers in Nebraska to attest as to whether they are using or deploying communications equipment prohibited by the FCC. After the Commission completed its collection of attestations from carriers subject to the docket, it published and continues to update the list of carriers ineligible from being awarded State broadband funding. In order to comply with Neb. Rev. Stat. §§ 86-125 (4)(c) and 86-324 2(d), the Commission opened Docket No. C-5520/PI-246, to expand the scope of entities included in its original data collection to include communications providers registered in Nebraska that had not previously filed an attestation with the Commission in the C-5493/PI-245 docket.

In order to promote administrative efficiency, the Commission finds that Docket Nos. C-5493/PI-245 and C-5520/PI-246 shall be combined and its obligations and findings shall be incorporated

³ Neb. Rev. Stat. § 86-324 (2)(d)

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application Nos. C-5493/PI-245 & C-5520/PI-246

Page 3

into one consolidated docket.⁴ As such, a consolidated list of regulated carriers and communications providers using or deploying communications equipment and services developed by organizations on the FCC's Covered List is attached to this order as 'Attachment A.' The Commission finds that 'Attachment A' shall be the official list of all local exchange carriers, interexchange carriers, eligible telecommunications carriers, and communications providers ineligible from receiving NUSF and/or State broadband funding.

Moreover, the Commission finds that all local exchange carriers, interexchange carriers, eligible telecommunications carriers, and communications providers certificated or registered in Nebraska shall be required to provide to the Commission an attestation as to whether they are using or deploying prohibited equipment. The Commission finds that this attestation should be included with the forms required to be completed as part of the annual report process and submitted before April 30 of each calendar year.

Grant programs affected by this requirement include, but are not limited to, the Nebraska Broadband Bridge Program, federal Capital Projects Funds awards, and the Precision Agriculture Grant Program. Specific requirements for each program will be detailed within the Commission docket relevant to that program.

Finally, the Commission finds that those entities who fail to file this attestation will be presumed to use or rely on prohibited equipment and will be ineligible from receiving NUSF and/or State funding designated for broadband deployment. All current ineligible carriers are listed in 'Attachment A' to this order. The Commission will publish this list on its website and will update it periodically as new carriers are added and as carriers come into compliance.

⁴ *Peters v. Meyer*, 131 Neb. 847, 270 N.W. 312 (1936) (When two or more actions are pending in the same court which might have been joined, they may, upon application, be consolidated).

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application Nos. C-5493/PI-245 & C-5520/PI-246

Page 4

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that all local exchange carriers, interexchange carriers, eligible telecommunications carriers, and communications providers certificated or registered in Nebraska shall be required to file the above-described information with the Commission on or before April 30, 2024, and annually thereafter, as prescribed herein.

IT IS FURTHER ORDERED that all carriers listed on 'Attachment A' or on any updated version published on the Commission website henceforth shall be ineligible from being awarded State broadband funding.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 7th day of November, 2023.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Eric M. Hamler
[Signature]
Tim Schram
Kevin Stocker

[Signature]
Chair

ATTEST:

Thomas W. Golden
Executive Director

Attachment A

List of Nebraska Telecommunications Carriers and Communications
Providers using or deploying communications equipment and
services developed by organizations on the Federal
Communications Commission's Covered List

by

Nebraska Public Service Commission

November 7, 2023

Entity Name	Filed - Yes	Failed to File
Consumer Cellular, Inc.	X	
Interface Security Systems, LLC	X	
Level 3 Communications, LLC	X	
Lycamobile USA, Inc.	X	
NE Colorado Cellular, Inc. dba Viaero	X	
Zito Midwest, LLC	X	
2600HZ, Inc.		X
Access Systems, Inc.		X
Action Communications, Inc.		X
Advantage Telecommunications Corp.		X
Affiliated Technology Solutions, LLC		X
AFNET, LLC		X
Altaworx, LLC		X
Altigen Communications, Inc.		X
AMP Networks LLC		X
Apt Interactive, LLC		X
APXnet.Inc.		X
Assurance Wireless USA, LP		X
ATCJET.NET, LLC		X
Atlantic Tele-Network, Inc.		X
Avaya Cloud, Inc.		X
BBTel, Inc.		X
BCS, LLC		X
Best Buy Health, Inc.		X
Blackfoot Communications, Inc.		X
Blue Jay Wireless, LLC		X
Blue Valley Technologies, Inc.		X
Bluestem Network, LLC		X
Cable USA III, LLC		X
CallShaper, LLC		X
CCI Network Services, LLC		X
Celito Communications, Inc.		X
Claro Enterprise Solutions, LLC		X

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application Nos. C-5493/PI-245 & C-5520/PI-246

Page 7

Clear Live, LLC		X
Cloudcall, Inc.		X
Coeo Solutions, LLC		X
Comlink Total Solutions Corp		X
CommandLink, LLC		X
Comm-Core, LLC		X
commio, LLC		X
Communication Innovators, Inc.		X
Comtech 21, LLC		X
Consumer Telcom, Inc.		X
Covoda Communications, Inc.		X
Cricket Wireless, LLC		X
CSC Wireless, LLC		X
Dagobah Systems, Inc.		X
DataBytes, Inc.		X
Daywalker Mobile Inc.		X
Dial 800 Telecom LLC		X
Distributed Computing, Inc.		X
DSCI, LLC		X
DTS Technology Group LLC		X
DynaLink Communications, Inc.		X
Earthlink, LLC		X
Easton Telecom Services, LLC		X
Efanz, Inc.		X
ENA Healthcare Services, LLC		X
EnTelegent Solutions, Inc.		X
Epixtar Communications Corporation		X
Evertex, Inc.		X
Excellus Communications, LLC		X
Exiant Communications LLC		X
Fibervision, LLC		X
First Choice Technology, Inc.		X
First Communications, LLC		X
Fonality, Inc.		X

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application Nos. C-5493/PI-245 & C-5520/PI-246

Page 8

Fore Street Telecom, LLC		X
Fourteen IP, Inc.		X
Fractel, LLC		X
Framework IT, LLC		X
Fulton Communications, Inc.		X
Fuze, Inc.		X
Gabb Wireless, Inc.		X
Gabbit, LLC		X
GC Pivotal, LLC		X
Gogo, LLC		X
GoldnSilver.com, Inc.		X
Google Fiber North America Inc.		X
Google North America, Inc.		X
Google Voice, Inc.		X
Grasshopper Group, LLC		X
GreatCall, Inc.		X
Greenfly Networks, Inc.		X
HH Ventures, LLC		X
Highway 89, LLC		X
HNS		X
Hughes Network Systems, LLC		X
iCommerce Services, Inc.		X
inContact, Inc.		X
Innovative Telephone and Data Solutions, LLC		X
Insight Mobile, Inc.		X
Intelegrated, LLC		X
Intermedia Voice Services, Inc.		X
Internet Nebraska Corporation		X
IP Horizon LLC		X
iTalk Global Communications, Inc.		X
ITC Global Networks, LLC		X
ITL Global Services, LLC		X
JMZ Corporation		X

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application Nos. C-5493/PI-245 & C-5520/PI-246

Page 9

Juvo Technologies, LLC		X
Lexvor, Inc.		X
Lightning Telecom, LLC		X
Mango Voice, LLC		X
McCookNet, Inc.		X
Medtel Communications, LLC		X
MetroPCS Michigan, LLC		X
Midwest Networks Development, LLC		X
Mitel Cloud Services, Inc.		X
Mobi, Inc.		X
Momentum Telecom, Inc.		X
Mosaic Networx, LLC		X
Nebraska Technology & Telecommunications, Inc		X
NEC Cloud Communications America, Inc.		X
New Cingular Wireless PCS, LLC		X
Nexogy, Inc.		X
Next Level Internet, Inc.		X
NextGen Communications, Inc.		X
Nextiva, Inc.		X
NGA911, LLC		X
Novega Venture Partners		X
Nuso, LLC		X
NXTsoft Cybersecurity Solutions, LLC		X
One Source Networks, Inc.		X
One Voice Communications, Inc.		X
Ongoing Operations, LLC		X
PanTerra Networks, Inc.		X
Phone.com, Inc.		X
PNG Telecommunications, Inc.		X
Podium Voice, LLC		X
Prairie Hills Wireless, LLC		X
Pulsar360 Corp.		X

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application Nos. C-5493/PI-245 & C-5520/PI-246

Page 10

Quality Voice & Data, Inc.		X
QuantumShift Communications, Inc.		X
RadiantIQ, LLC		X
Ready Wireless, LLC		X
Red Pocket, Inc.		X
Reduced Rate Long Distance, LLC		X
Re-Invent Telecom, LLC		X
Reliant Communications, Inc.		X
RingCentral, Inc.		X
ROK Mobile Inc.		X
Rural Telephone Service Company, Inc.		X
Sage Telecom Communications, LLC		X
SCS Communications, LLC		X
Selectel, Inc.		X
ServiceTitan, Inc.		X
SimpleVoip, LLC		X
Single Point Global, Inc.		X
Sip2020, LLC		X
Skybeam Acquisition Corporation		X
Skybeam, LLC		X
S-Net Communications, Inc.		X
South Dakota Network LLC		X
Southwest Communications, Inc.		X
Speakerbus Incorporated		X
Speakerbus Networks, Inc.		X
Spectrotel of the West, LLC		X
Sprint Communications Company LP		X
Sprint Spectrum LP		X
SQF, LLC		X
Stream Communications, LLC		X
STX Group, LLC		X
Syntegra North America, LLC		X
T C Telephone, LLC		X

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application Nos. C-5493/PI-245 & C-5520/PI-246

Page 11

Tailwind Voice & Data, Inc.		X
Techmode, LLC		X
Tekstar Communications, Inc.		X
TelAgility Corporation		X
Telco Bill Center, Inc.		X
Telecom West, Inc.		X
Telefonica USA, Inc.		X
TelePacific Managed Services		X
Telephone Systems of Nebraska, Inc.		X
Teligent IP, Inc.		X
Tello, LLC		X
Telnyx LLC		X
TelWare Corporation		X
Terra Nova Telecom, Inc.		X
The Light Phone, Inc.		X
Thing Technologies		X
Ton80 Communications, LLC		X
Treasure Lake, LP		X
Truphone, Inc.		X
U.S. Telecom Long Distance, Inc.		X
UComTel Inc.		X
Unitas Global Inc.		X
US LEC Communications, Inc.		X
USA Digital Communications, Inc.		X
USIPCommunications, LLC		X
Verve Cloud, Inc.		X
ViaSat, Inc.		X
Vodafone US Inc.		X
Voice Ring, Inc.		X
VoIPly, LLC		X
Volt Mobile Inc.		X
Votacall, Inc.		X
Voyzze Communications, Inc.		X
Warp Networks, Inc.		X

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application Nos. C-5493/PI-245 & C-5520/PI-246

Page 12

Wave Nation, LLC		X
WinDBreak Cable		X
Wing Tel, Inc.		X
Wirelessinet, LLC		X
Working Assets Funding Service, Inc.		X
Wrazzle, Inc.		X
X2Comm, Inc.		X
XYN Communications of Nebraska, LLC		X
Zayo Group, LLC		X
Zefcom, LLC		X
Zen Communications, LLC		X
Zirrus LLC		X
Ztar Mobile, Inc.		X