

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Application No. C-5484
Public Service Commission, on)	
its own motion, to administer)	
the Nebraska Broadband Bridge)	ORDER ISSUING GRANT AWARDS
Program in the 2023 program)	AND RESULTS OF CHALLENGES
year.)	
)	
)	Entered: January 9, 2024

BY THE COMMISSION:

On March 7, 2023, the Nebraska Public Service Commission ("Commission") initiated this proceeding on its own motion to administer the 2023 program year of the Nebraska Broadband Bridge Program ("NBBP"). On May 16, 2023, following a comment period and hearing in this matter, the Commission released an order adopting the 2023 grant application schedule and application materials ("May 16 Order"). On June 13, 2023, by order of the Hearing Officer, the procedural schedule for this docket was revised ("June 13 Order").

Pursuant to the revised procedural schedule in this matter, the Commission hereby makes the following grant awards and determinations as to challenges.

Applications Received

Applications for grant awards were due to the Commission by July 11, 2023. The Commission received 51 applications for awards, as listed in Attachment A to this order. Applications were published on the Commission website. Commission staff reviewed applications for completeness and contacted applicants in the case of any missing information or other defects in the applications. Applications were reviewed in accordance with the weighted scoring system set forth in the Commission's May 16 Order in this docket.

On November 7, 2023, the Commission released an order issuing determinations as to the credibility of partial challenges, and reclassifying the priority tier of some applications ("Nov. 7 Order"). Applicants who received a successful partial challenge were allowed to modify their applications until November 28, 2023. Applications not modified to remove the successfully challenged portions were considered withdrawn.

Challenges Received

Pursuant to Neb. Rev. Stat. § 86-1307, providers were given the opportunity to submit a challenge to an application if the challenger provides broadband service in the proposed project area, has begun construction to provide broadband service in the proposed project area, or provides broadband service in an area proximate to the project area and intends to provide service within the project area within eighteen months. Challenges were due to the Commission on or before September 15, 2023. Attachment A summarizes all challenges received in this program year.

Applicants were notified of any challenges received, and the non-confidential portions of challenges were published on the Commission website. Applicants were given the opportunity to supplement, modify, or withdraw their application if desired. Attachment A lists six applications which were withdrawn and four which were found to be incomplete, and which therefore will not be funded. Challenges to projects that were withdrawn or otherwise not funded are considered moot, and those challengers will not be required to meet the obligations for successful challengers.

The Commission received challenges to sixteen of the applications, with some applications receiving multiple challenges. The challenges are listed in Attachment A to this order. Applicants were notified of any challenges received, and the non-confidential portions of challenges were published on the Commission website. Applicants were given the opportunity to supplement, modify, or withdraw their application if desired. If an application was subsequently withdrawn by the applicant or modified to remove the challenged portion of the project area, the challenge was considered moot, and those challengers will not be required to meet the obligations for successful challengers.

Challengers were required to designate their challenge in correspondence with the requirements of § 86-1307(2) (a) ("Type 1") and § 86-1307 (2) (b) ("Type 2"). Providers submitting a Type 1 challenge attested that they currently provide service at the minimum 100/20 Mbps speed threshold to all serviceable locations within the challenged portion of the project area. Providers submitting a Type 2 challenge attested that they were either currently constructing broadband infrastructure in the project area, or provide service proximate to the project area and anticipated completion of broadband infrastructure providing a minimum 100/20 Mbps speed threshold to all serviceable locations within the challenged portion of the project area within 18 months.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. C-5484

Page 3

Partial challengers whose challenges were upheld as set forth in the Nov. 7 Order were required to submit to the Commission attestations as to their commitment to continue providing or deploying service in the challenged area. Attestations were due to the Commission on or before November 17, 2023. All challenger attestations were received prior to this deadline.

Challenges Upheld

Following review of the applications and challenges submitted, the Commission determined that certain challenges, attached hereto in Attachment B, were credible and should be upheld. The challenged projects listed in Attachment B therefore may not be funded.

All successful challengers must submit to the Commission by **January 15, 2024, at 5:00 p.m. Central Time** a Challenger Acknowledgement and Attestation Form, attached hereto in Attachment C, and available on the Commission website. Successful type 1 challengers must attest that they will continue to provide 100/20 Mbps service in the entire challenged area. These challengers will also be required to notify Commission should the challenger's service offerings in the area change.

Type 2 challengers whose challenges have been upheld must attest that they will provide service to the entire project area in question. Any Type 2 challenger listed in Attachment B who does not successfully provide broadband Internet service to the entire project area within eighteen months will not be able to challenge any grant until the 2024 NBBP grant cycle.

Type 2 challengers must submit documentation to the Commission no later than **5:00 p.m. Central Time on July 9, 2025**, demonstrating that the challenger has fulfilled its commitment to deploy broadband Internet service with access to the Internet at the stated speeds in the entire project area. Type 2 challengers are also required to submit to the Commission quarterly progress reports regarding their construction of service in the project area by the fifteenth day of the first month following each quarter, beginning in the second quarter of 2022. The first progress report from Type 2 challengers will therefore be due to the Commission no later than **5:00 p.m. Central Time on April 15, 2024**. A sample progress report form is attached to this order as Attachment D.

Review of Remaining Applications

Following review of the challenges to be upheld and withdrawn or incomplete applications, the Commission determined that thirty-eight applications remained for consideration for funding. In cases of significant overlap where both projects were eligible for funding, only the higher-ranked project was funded. The total dollar amount required to fund the remaining applications would be \$28,949,454.62. However, the total funding available for the 2023 program year is \$19,795,788.¹ All remaining applications were scored according to the scoring system previously set forth in this docket. The available funding was sufficient to support all eligible Tier 1 projects. With the remaining funding, the Commission approved projects in order of priority starting with the highest scoring projects, and proceeding until there were insufficient funds to completely fund any given project. If lower ranked projects could still be fully funded with remaining funds, they were also approved in order to utilize as much of the available funds as possible. A summary of the applications, including overall scores, is available on the Commission website.

The Commission finds that, upon review of the submitted applications and challenges, each of the applications listed in Attachment E to this order should be fully funded. As previously set forth in this docket, 1/4 of the funds awarded will be processed for distribution upon award of the grant.² 1/4 of the funds will be processed for distribution in September of 2024. Following project completion, applicants shall submit all invoices justifying project expenses within ninety days of project completion. Upon successful completion of the project, the required speed testing, and invoice submittals to justify expenses, the remaining 1/2 of awarded funds will be processed for distribution. Final payments may be adjusted based on actual eligible project costs and match percentage.

¹ This amount includes the \$20 million annual amount set forth by Neb. Rev. Stat. § 86-1303, less administrative costs.

² NBBP grant payments will be distributed within the Commission's monthly telecommunications payment process. Processing time for distributions may be up to thirty (30) days.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. C-5484

Page 5

Each successful applicant shall be held to all requirements of the Nebraska Broadband Bridge Program, as listed in the Act and by order of this Commission. Successful applicants must submit to the Commission a Grantee Acknowledgement and Attestation Form by **January 15, 2024, at 5:00 p.m. Central Time**. Payments shall not be disbursed to applicants until the Acknowledgement and Attestation Form is received. A blank form is attached hereto as Attachment F and is also available on the Commission website.

Generally, each applicant listed in Attachment E must provide to its designated service area broadband Internet service scalable to one hundred megabits per second for downloading and one hundred megabits per second for uploading, or greater. Additionally, performance testing of these projects must demonstrate latency measurements of 100 milliseconds or less.³ All completion deadlines and repayment requirements set forth in Neb. Rev. Stat. § 86-1304 and in this order shall apply to each project listed in Attachment E.

The first payment of grant awards will be processed within thirty (30) days of this order. Successful applicants must immediately contact the Commission via e-mail sent to psc.broadband@nebraska.gov to verify required documentation for receipt of ACH payments from the State of Nebraska is on file with the Commission. Awardees must also complete a Grantee Acknowledgement and Attestation Form, attached hereto as Attachment F, before payments may begin. Initial disbursements will not be issued until this attestation is received.

Project Completion and Testing

The deadline for completion of each of the projects listed in Attachment E shall be July 9, 2025. A project shall be considered completed when the network infrastructure has been built and the network is capable of delivering services to any and all end users in the project area within ten days of receiving a request for service, at a level sufficient to test performance.⁴ Each applicant

³ Commission Docket No. NUSF-133, *In the Matter of the Nebraska Public Service Commission, on its own motion, to implement standards for the verification of broadband service provider coverage and speed data*, Order Setting Speed Test Requirements (Nov. 8, 2022) ("NUSF-133 Order") at 3.

⁴ To the extent that customer drops can be performed at a customer's request and within the amount of grant funding allocated to the awardee, customer drops may be considered reimbursable expenses. However, as with other project

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. C-5484

Page 6

must submit to the Commission on or before **July 9, 2025, at 5:00 p.m. Central Time** a certification that the broadband network described in the application has been completed. A template certification is attached to this order in Attachment G.

If an applicant is unable to complete the project by July 9, 2025, extensions of the deadline may be available upon a showing of good cause pursuant to Neb. Rev. Stat. § 86-1304(2)(a). Applicants seeking an extension must submit a request for extension to the Commission by **June 1, 2025, at 5:00 p.m. Central Time**. Applicants seeking an extension must include a detailed explanation of the circumstances and reasons surrounding the request, along with any and all relevant documentation for the Commission's review. Applicants who may need an extension are encouraged to submit a request for extension as soon as possible.

Following an applicant's completion of the project, the applicant shall conduct speed testing as required by Neb. Rev. Stat. § 86-1304(3) and Commission Docket No. NUSF-133.⁵ The number of locations to be tested is as follows:

Number of Locations in Application	Number of Test Locations
50 or fewer	5
51-500	10% of Total Number of Locations
Over 500	50

To the extent possible, grant recipients serving more than 500 locations in a project area should attempt to test at least 10% of served locations. Locations to be tested must be selected at random, and tests must be performed during times of peak usage. The results of these speed tests must be submitted to the Commission within thirty (30) days of project completion. Speed test results shall be submitted in both a summary and detailed

costs, customer drops must be performed prior to the date of project completion certified by the awardee in order to be reimbursable.

⁵ See NUSF-133 Order (setting forth detailed requirements regarding testing intervals, testing end points, and locations to be tested).

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. C-5484

Page 7

format. A speed test certification form is included as Attachment H to this order.

Should an applicant's testing fail to reflect that the entire project area is capable of being served at the required speeds, the applicant must submit along with speed test results a written proposal to remedy the deficiencies. This proposal must include the date upon which speed testing will be conducted a second time, which must be no later than sixty (60) days following the initial speed testing.

Following successful completion of the project and required speed testing, the final 50% of grant funding will be made available to applicants. Final payments may be adjusted based on actual eligible project costs and match percentage. Applicants must submit to the Commission documentation and invoices necessary to support the project costs no later than ninety (90) days following project completion. A cover sheet for submitting invoicing and documentation is included in Attachment I.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the applications listed in Attachment E shall be funded. Each of the applicants awarded shall be required to complete the project by **July 9, 2025**, unless granted an extension by order of the Commission. All successful applicants listed in Attachment E shall be subject to speed testing requirements as required by Neb. Rev. Stat. § 86-1304 and as set forth above.

IT IS FURTHER ORDERED that each successful applicant must submit to the Commission on or before **July 9, 2025, at 5:00 p.m. Central Time** a certification that the broadband network described in the application has been completed. Applicants seeking an extension of this deadline must submit a request for extension to the Commission by **June 1, 2025, at 5:00 p.m. Central Time**.

IT IS FURTHER ORDERED THAT disbursement of the grant award shall be conducted as described above. The final disbursement of grant awards shall be conducted following review of submitted documentation of allowable costs, and the amount distributed to each applicant shall not exceed the grant award set forth in Attachment E to this order.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. C-5484

Page 8

IT IS FURTHER ORDERED that successful applicants must immediately verify required documentation for receipt of ACH payments from the State of Nebraska is on file with the Commission. Successful applicants must also submit to the Commission a Grantee Acknowledgement and Attestation Form by **January 15, 2024, at 5:00 p.m. Central Time**. Payments shall not be disbursed to applicants until the Acknowledgement and Attestation Form is received.

IT IS FURTHER ORDERED that the challenges listed in Attachment B shall be upheld. Each of the successful challengers listed in Attachment B must submit a Challenger Acknowledgement and Attestation Form to the Commission by **January 15, 2024, at 5:00 p.m. Central Time** affirming their status as a Type 1 or Type 2 challenger.

IT IS FURTHER ORDERED that each of the Type 2 challengers listed in Attachment B must submit to the Commission quarterly progress reports regarding their construction of service in the project area by the fifteenth day of the first month following each quarter, beginning in the second quarter of 2024, with the first progress report due to the Commission no later than **5:00 p.m. Central Time on April 15, 2024**.

IT IS FURTHER ORDERED that the Challengers listed in Attachment B must submit documentation to the Commission no later than **5:00 p.m. Central Time on July 9, 2025**, demonstrating that the challenger has fulfilled its commitment to deploy broadband Internet service with access to the Internet at the stated speeds in the proposed project area.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 9th day of January, 2024.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Eric M. Hamler
Tim Schram
Kevin Stocker

David W. ...
Chair

ATTEST:

Thomas W. Golden
Executive Director

Commission Docket No. C-5484
Nebraska Broadband Bridge Program – 2023 Grant Cycle
Attachment A: Applications and Challenges Received

Applicant Name	Project Name	Grant Request	Challenge #1	Challenge #2
ALLO Communications, LLC	Fremont-Dodge Municipal Inland Port Authority	\$196,384.00		
	South Sidney	\$27,321.00	Charter Communications	
AMG Technology Investment Group, LLC dba Nextlink Internet	Adams2 Project_ NBBP 2023	\$1,998,060.42		
	Cortland 2 Project_ NBBP 2023	\$1,077,686.90	Windstream	
	Wymore_ NBBP 2023	\$179,367.38		
Cambridge Telephone Company	Bartley North	\$1,125,000.00		
Consolidated Telco, Inc.	Paxton South Unserved †	\$291,292.00		
	Brady S. and Maxwell Unserved †	\$387,165.00		
Consolidated Telephone Company	Anselmo Unserved †	\$773,208.00		
	Hyannis Unserved †	\$750,872.00		
	Purdum Unserved †	\$609,421.00		
Cox Nebraska Telcom, LLC	Cass-Sarpy Version 3	\$1,381,744.00	United Telephone Company of the West (Type 1)	United Telephone Company of the West (Type 2)
	Douglas Washington Version 2	\$1,004,336.00	Charter Communications	
Diller Telephone Company/Diode Cable Company	Plymouth Northeast	\$260,000.00		
	Plymouth West	\$987,750.00		
Eagle Broadband Investments, LLC dba Vyve Broadband	South Platte River Expansion †	\$1,120,929.00	Windstream	
Eastern Nebraska Telephone Company dba Fastwyre Broadband	Winnebago †	\$691,425.00		

* Denotes full challenge

** Denotes application that was modified after filing in response to a challenge

† Denotes withdrawn or incomplete application

Applicant Name	Project Name	Grant Request	Challenge #1	Challenge #2
Glenwood Telecommunications, Inc.	Fillmore County 2	\$56,318.89		
	Holdrege Airport Area	\$1,072,211.54		
	Lewellen Rural	\$377,442.74		
	Thayer County	\$1,376,220.37		
	York County	\$639,723.72		
Great Plains Communications	Crofton Lakes †	\$2,970,809.00		
	Rural Deshler †	\$2,373,919.00		
	Scottsbluff North †	\$2,009,303.00	Charter Communications	United Telephone Company of the West
Hartington Telecommunications Co., Inc. (dba Hartelco)	Project A1 (Rural Fordyce) **	\$925,413.00	Great Plains Communication	
	Project A2 (Menominee) **	\$1,286,975.00	Great Plains Communication	
	Project B (Rural St. Helena) **	\$1,030,710.00	Great Plains Communication	
	Project C (Wynot)	\$3,949,781.00	Great Plains Communication	
	Project D (Bow Valley Rural)	\$1,179,683.00	Great Plains Communication	
	Project E (Lewis and Clark Lake)	\$365,193.00		

* Denotes full challenge

** Denotes application that was modified after filing in response to a challenge

† Denotes withdrawn or incomplete application

Applicant Name	Project Name	Grant Request	Challenge #1	Challenge #2
Inventive Wireless of Nebraska, LL dba Vistabeam	Bayard Fiber Project	\$285,142.89	Charter Communications *	
	Broadwater Fiber Project	\$463,178.00		
	Lewellen Fiber Project	\$220,693.88		
	Lisco Fiber Project	\$512,778.39		
	Lodgepole Fiber Project	\$314,842.50	Dalton	
	McGrew Fiber Project	\$1,616,553.00	Charter Communications	United Telephone Company of the West
Midstates Data Transport, LLC d/b/a Stealth Broadband	Boone County East Unserved	\$785,887.00		
Mobius Communications Company	BBC	\$559,350.00	Charter Communications	
	DAWES COUNTY	\$1,084,725.00		
Pinpoint Communications, Inc.	Beaver Lake South	\$1,165,500.00		
	Indianola	\$945,000.00		
	Rural Beatrice1	\$535,500.00		
	Rural Beatrice2	\$693,000.00		
	Rural Cook to Talmage	\$300,000.00		
	Rural Oxford-Edison	\$202,500.00		
Qwest Corporation d/b/a CenturyLink QC	Buffalo Rd. Springfield	\$287,552.00		
	Gretna 2	\$766,382.00		
	Leshara	\$92,280.00		
	Waterloo/Valley WC	\$290,816.00		
Spectrum Mid-America, LLC	Mead & Yutan	\$491,881.00	Windstream	

* Denotes full challenge

** Denotes application that was modified after filing in response to a challenge

† Denotes withdrawn or incomplete application

Commission Docket No. C-5484
Nebraska Broadband Bridge Program – 2023 Grant Cycle
Attachment B: Challenge Dispositions

Applicant Name	Project Name	Name of Challenger	Challenge Type	Challenge Disposition
ALLO Communications, LLC	Fremont-Dodge Municipal Inland Port Authority	Charter Communications	1	Denied
AMG Technology Investment Group, LLC dba Nextlink Internet	AMG Technologyt_Adams2 Project_ NBBP 2023	Windstream	1	Denied
Cox Nebraska Telcom, LLC	Cass-Sarpy	Charter Communications	1	Denied
Cox Nebraska Telcom, LLC	Douglas-Washington	UTC of the West	1	Denied
Cox Nebraska Telcom, LLC	Douglas-Washington	UTC of the West	2	Denied
Eagle Broadband Investments, LLC dba Vyve Broadband	South Platte River Expansion	Windstream	1	Application withdrawn
Great Plains Communications	Scottsbluff North	Charter Communications	1	Denied
Great Plains Communications	Scottsbluff North	UTC of the West	2	Denied
Hartington Telecommunications Co., Inc. (dba Hartelco)	Project A1 (Rural Fordyce)	Great Plains Communication	2	Application modified to remove challenged areas
Hartington Telecommunications Co., Inc. (dba Hartelco)	Project A2 (Menominee)	Great Plains Communication	2	Application modified to remove challenged areas
Hartington Telecommunications Co., Inc. (dba Hartelco)	Project B (Rural St. Helena)	Great Plains Communication	2	Application modified to remove challenged areas
Hartington Telecommunications Co., Inc. (dba Hartelco)	Project C (Wynot)	Great Plains Communication	2	Approve
Hartington Telecommunications Co., Inc. (dba Hartelco)	Project D (Bow Valley Rural)	Great Plains Communication	2	Approve
Inventive Wireless of Nebraska, LL dba Vistabeam	Bayard Fiber Project	Charter Communications*	1	Approve
Inventive Wireless of Nebraska, LL dba Vistabeam	McGrew Fiber Project	Charter Communications	1	Denied
Inventive Wireless of Nebraska, LL dba Vistabeam	Lodgepole Fiber Project	Dalton	1	Denied
Inventive Wireless of Nebraska, LL dba Vistabeam	McGrew Fiber Project	UTC of the West	2	Denied
MOBIUS COMMUNICATIONS COMPANY	MOBIUS 23-NBBP_BBC	Charter Communications	1	Denied
Spectrum Mid-America, LLC	Charter Communications - Mead & Yutan	Windstream	1	Denied

** Denotes full challenge*



Nebraska Broadband Bridge Program Challenger Acknowledgement and Attestation Form

Docket No. C-5484
Attachment C

2023 Program Year

By completing this form, the challenging party acknowledges that the Nebraska Public Service Commission has upheld the challenge filed against the following project:

1. Challenger Name:			
2. Challenged NBBP Applicant Name:			
3. Challenged NBBP Application Project Name:			
4. Total number of serviceable locations in the challenged area:		5. Number of locations in the challenged area currently served by challenger:	

Please select one of the following:

Type 1 Challenger: The challenging provider currently provides service at the minimum 100/20 Mbps speed threshold to all locations within the challenged portion of the project area. The challenging provider will continue to provide a minimum of 100/20 Mbps service in the entire challenged area, and must notify the Commission should the challenger's service offerings in the area change.

Type 2 Challenger: The challenging provider is currently constructing broadband infrastructure in the project area, or is proximate to the project area and anticipates completion of broadband infrastructure within the project area within eighteen-months after the date grant awards are made under the program. The challenging provider will provide documentation to the Commission as required, including progress reports every three months demonstrating progress towards construction. The challenging provider must submit documentation to the Commission demonstrating fulfillment of the commitment to deploy broadband internet at the stated speeds in the entire project area on or before the due date stated in the C-5484 order issuing grant awards and results of challenges.

ATTESTATION: By signing this document, I attest under penalty of perjury that the information contained in this form and all supporting documents are true and accurate, and that I have undertaken due diligence to obtain knowledge regarding these claims. I also acknowledge that if service is not provided to the project area within the required eighteen-month timeframe, or if the challenging provider fails to continue providing service in the project area, the challenging provider will be subject to civil penalties and will be prohibited from submitting any applications or challenges within the Nebraska Broadband Bridge Act for the following two fiscal years. I agree to comply with all terms of the Nebraska Broadband Bridge Program.

Printed Name: _____

Title: _____ Date: _____

Authorized Signature: _____

Please return this form to psc.broadband@nebraska.gov by January 15, 2024.



Nebraska Broadband Bridge Program Challenge Progress Report

2023 Program Year
Service Completion Deadline: July 9, 2025

Date of Report:
Challenger Name:
Challenged NBBP Application Project Name:

As required by order of the Nebraska Public Service Commission in Docket No. C-5484, providers who submitted a successful challenge in the 2023 NBBP grant cycle must submit quarterly reports to the Commission documenting what steps were taken towards providing broadband service in the challenged area. Progress reports will be due on the fifteenth day of each quarter, or first business day thereafter, beginning on April 15, 2024.

The questions below should be filled out with the most accurate information currently available. When describing locations currently served, each location included in the totals below must be able to be served at a minimum of 100/20 Mbps speed as of the date of this report.

Challenger Name:	
Contact Person:	
Mailing Address:	
Email Address:	
Phone Number:	

Challenged NBBP Application Project Name:	
Description of the challenged area:	
Total number of locations in the challenged area:	
Number of locations in the challenged area served by challenger in September 2023:	
Number of locations in the challenged area currently served by challenger:	
Number of locations in the challenged area awaiting service:	
Estimated date of completion:	

Nebraska Broadband Bridge Program Challenge Progress Report

Narrative: Please provide a narrative account of steps taken by the challenger, since the filing of the previous challenge progress report, to fulfill its obligations to provide service to the challenged area. Please include a detailed description of any and all construction work in process, permits sought and obtained, speed tests conducted, and advertising undertaken within the challenged area. Relevant documentation and supporting information should be attached as needed.

Click or tap here to enter text.

Thank you for your participation in the Nebraska Broadband Bridge Program. The Commission may contact you with follow-up questions as needed.

ATTESTATION: By signing this document, I attest under penalty of perjury that the information contained in this form and all supporting documents are true and accurate, and that I have undertaken due diligence to obtain knowledge regarding these claims.

Printed Name of Officer or Agent

Date

Title of Officer or Agent

Signature of Officer or Agent

Commission Docket No. C-5484
Nebraska Broadband Bridge Program – 2023 Grant Cycle
Attachment E: Grant Awards

Applicant Name	Project Name	Disposition	Grant Award
ALLO Communications, LLC	South Sidney	Approved	\$ 196,384.00
	Fremont-Dodge Municipal Inland Port Authority	Approved	\$ 27,321.00
Cambridge Telephone Company	Bartley North	Approved	\$ 1,125,000.00
Cox Nebraska Telcom, LLC	Douglas Washington Version 2	Approved	\$ 1,381,744.00
	Cass-Sarpy Version 3	Approved	\$ 1,004,336.00
Diller Telephone Company/Diode Cable Company	Plymouth Northeast	Approved	\$ 260,000.00
Diller Telephone Company/Diode Cable Company	Plymouth West	Approved	\$ 987,750.00
Glenwood Telecommunications, Inc.	Holdrege Airport Area	Approved	\$ 56,318.89
	Fillmore County 2	Approved	\$ 1,072,211.54
	Lewellen Rural	Approved	\$ 377,442.74
	Thayer County	Approved	\$ 1,376,220.37
	York County	Approved	\$ 639,723.72
Hartington Telecommunications Co., Inc. (dba Hartelco)	Project A1 (Rural Fordyce)	Approved	\$ 925,413.00
	Project A2 (Menominee)	Approved	\$ 1,286,975.00
	Project B (Rural St. Helena)	Approved	\$ 1,030,710.00
	Project E (Lewis and Clark Lake)	Approved	\$ 3,949,781.00
Midstates Data Transport, LLC d/b/a Stealth Broadband	Boone County East Unserved	Approved	\$ 785,887.00
Pinpoint Communications, Inc.	Rural Cook to Talmage	Approved	\$ 1,165,500.00
	Rural Oxford-Edison	Approved	\$ 945,000.00
	Rural Beatrice2	Approved	\$ 535,500.00
Qwest Corporation d/b/a CenturyLink QC	Leshara	Approved	\$ 92,280.00
Spectrum Mid-America, LLC	Mead & Yutan	Approved	\$ 491,881.00



Nebraska Broadband Bridge Program Grantee Acknowledgement and Attestation Form

Docket No. C-5484
Attachment F

2023 Program Year

Grantee Name: _____

Project Name: _____

By completing this form, the Grantee and its successors and affiliates ("Grantee") acknowledges that it has reviewed the requirements for receipt of a Nebraska Broadband Bridge Program (NBBP) grant as awarded by the Nebraska Public Service Commission for the above-named project.

The Grantee hereby agrees to the following conditions:

- The Grantee agrees to complete the approved project within eighteen months following the grant award. The Commission may permit an extension upon request and for good cause shown, if the Grantee files a request in writing prior to the project deadline. If the Grantee fails to complete the project by the agreed or extended deadline, the recipient is subject to repayment of grant funds pursuant to Neb. Rev. Stat. § 86-1304.
- The Grantee is responsible for maintaining adequate supporting records that document expenditure of the grant funds in accordance with the requirements of the Nebraska Broadband Bridge Program. The Grantee agrees to proactively reach out to Commission staff with any questions that arise to ensure that expenses are adequately documented.
- The Grantee must conduct speed tests upon completion of the broadband network and must submit network speed testing information as prescribed by the Commission. Should the speed testing fail to reflect that the entire project area is capable of being served at the required speeds, the grant recipient shall be allowed a reasonable time to address the speed deficiencies and conduct a second set of speed tests. If the broadband network does not provide service at the speeds required according to the second set of speed tests, the grant recipient shall repay the grant.
- The Grantee agrees to offer broadband Internet service in the project area for a term of 15 years after receipt of the Grantee's first grant funding payment. The Grantee commits to maintaining a minimum speed capability of 100/100 Mbps and less than 100 millisecond latency in all locations within the project area. The Grantee agrees to maintain the rates as reflected in the associated application within the project area for a minimum of five years following project completion. Failure to comply with these agreed-upon conditions may result in the Commission imposing civil penalties pursuant to Neb. Rev. Stat. § 75-156.

Attach/Include:

W9/ACH form: Successful applicants must provide a W9/ACH form to verify required documentation for receipt of ACH payments from the State of Nebraska is on file with the Commission. This form can be found on the Nebraska Department of Administrative Services website at:

https://das.nebraska.gov/accounting/forms/ACH_W9_Fillable.pdf

ATTESTATION: By signing this document, I attest under penalty of perjury that the information contained in this form and all supporting documents are true and accurate, and that I have undertaken due diligence to obtain knowledge regarding these claims. I confirm acceptance of the above-named Nebraska Broadband Bridge Program grant and agree to perform and adhere to all grant requirements as set forth. I agree not to use equipment prohibited by the FCC within the network and to comply with all state and federal regulations and requirements pertaining to this program.

Printed Name: _____

Title: _____ Date: _____

Authorized Signature: _____

Please return this form and required attachments to psc.broadband@nebraska.gov by January 15, 2024.



Nebraska Broadband Bridge Program Grantee Progress Report

Docket No. C-5484
Attachment G

2023 Program Year
Service Completion Deadline: July 9, 2023

As required by order of the Nebraska Public Service Commission in Docket No. C-5484, awardees receiving funding in the 2023 NBBP grant cycle must submit quarterly reports to the Commission documenting project milestones completed during the quarter, milestones expected to be completed during the next quarter, and any anticipated challenges that might delay progress in the next quarter. These progress reports will be due on the fifteenth day of each quarter, or first business day thereafter, beginning on April 15, 2024.

The questions below should be filled out with the most accurate information currently available. When describing locations currently served, each location included in the totals below must be able to be served at a minimum of 100/100 Mbps speed and less than 100 milliseconds of latency as of the date of this report.

Date of Report:	
Reporting Period:	[Drop down will include quarters within performance period]
Grantee Name:	
Contact Person:	
Mailing Address:	
Email Address:	
Phone Number:	

Project Name:	
Total number of locations in the project area:	
Number of locations in the project area served by grantee as of January 9, 2024:	
Number of locations in the project area currently served by grantee:	
Number of locations in the project area awaiting service:	
Estimated date of completion:	

Narrative: Please provide a narrative account of steps taken by the grantee to fulfill its obligations to complete construction of the project area. Please include: (1) a description of milestones completed during the quarter; (2) a description of milestones expected to be completed during the next quarter; (3) challenges encountered or anticipated that may delay progress in the next quarter, and steps taken to mitigate; and (3) a timeline of upcoming milestones anticipated. Please attach supplementary pages if needed along with any relevant documentation if appropriate.

Click or tap here to enter text.

Thank you for your participation in the Nebraska Broadband Bridge Program. The Commission may contact you with follow-up questions as needed.

ATTESTATION: By signing this document, I attest under penalty of perjury that the information contained in this form and all supporting documents are true and accurate, and that I have undertaken due diligence to obtain knowledge regarding these claims.

Printed Name of Officer or Agent

Date

Title of Officer or Agent

Signature of Officer or Agent



Nebraska Broadband Bridge Program Certification of Project Completion

2023 Program Year

As required by order of the Nebraska Public Service Commission in Docket No. C-5484, providers who submitted a successful application in the 2023 NBBP grant cycle must submit a certification that the broadband network described in the application has been completed.

The questions below should be filled out with the most accurate information currently available. When describing locations currently served, each location included in the totals below must be able to be served at a minimum of 100/100 Mbps speed and less than 100 milliseconds latency as of the date of this report. **Note that any expenses incurred after the Project Completion Date will not be reimbursable.**

Date of Report:	
Applicant Name:	
Project Name:	
Contact Person:	
Mailing Address:	
Email Address:	
Phone Number:	

Project Completion Date:	
Total number of locations to be served:	
Dates upon which speed testing will be performed:	
Number of locations at which speed testing will be performed:	

Thank you for your participation in the Nebraska Broadband Bridge Program. The Commission may contact you with follow-up questions as needed.

ATTESTATION: By signing this document, I attest under penalty of perjury that the information contained in this form and all supporting documents are true and accurate, and that I have undertaken due diligence to obtain knowledge regarding these claims. I understand that the submission of false information in this document shall be considered as a violation of an order of the Commission, and may be subject to civil and/or criminal penalties.

Printed Name of Officer or Agent

Date

Title of Officer or Agent

Signature of Officer or Agent



Nebraska Broadband Bridge Program Speed Test Certification

2023 Program Year

As required by order of the Nebraska Public Service Commission in Docket No. C-5484, following deployment of the completed network as outlined in the application, grant recipients will be required to submit speed test information to the Commission as verification of broadband service provider coverage and speed data as set forth in Commission Docket Nos. C-5484 and NUSF-133.

Prior to completing this form and the accompanying speed test data, grantees are required to initiate the process by submitting the [NPSC Subscriber Upload Template](#), to psc.broadband@nebraska.gov, listing all subscriber locations within the project area. The Commission will provide to the grantee a list of locations from which the grantee can select to meet the minimum number of test locations. Grantees must report speed and latency testing results using the [NPSC Speed Testing Template](#) and [NPSC Latency Testing Template](#) forms, which must be submitted within thirty (30) days of project completion.

The questions below should be filled out with the most accurate information currently available. When describing locations currently served, each location included in the totals below must be part of the project area and must be able to be served at a minimum of 100/100 Mbps speed and less than 100 milliseconds of latency as of the date of this report.

Date of Report:	
Grantee Name:	
Project Name:	
Contact Person:	
Mailing Address:	
Email Address:	
Phone Number:	
Project Completion Date:	
Total number of locations in application:	
Number of locations currently capable of being served at 100/100 Mbps and < 100 ms latency:	
Number of customers currently subscribing to 100/100 Mbps service:	
Number of locations at which speed testing was performed:	
Percentage of total locations at which speed testing was performed:	

The following table reflects the total number of locations to be tested based on the number of locations in the application.

Number of Locations in Application	Number of Test Locations
50 or Fewer	5
51-500	10% of Total Number of Locations
Over 500	50*

*To the extent possible, grant recipients serving more than 500 locations in a project area should attempt to test at least 10% of served locations.

Nebraska Broadband Bridge Program Speed Test Certification

Please attach documentation supporting speed testing information for the project listed above. Documentation attached should demonstrate that the tests reflect actual download and upload speeds experienced by household users, that the tests were performed using a random sample of locations of consumers who subscribe to the network, including testing performed during times of peak usage, between 6 pm and 12 am local time. At least one test per hour must be conducted during the test window, with one week of testing for each project approved. Relevant documentation and supporting information should be attached as needed.

Speed test results should be summarized in tabular format and attached to this certification. The table must include service address, test start (date/time), test end (date/time), download speed result, and upload speed result. In addition to the summary table, supporting documentation must be provided to support the speed test results for individual locations.

Speed Test Summary Example:

Service Address	Test Start (date/time)	Test End (date/time)	Download Speed Result	Upload Speed Result
123 Main St, Hometown NE 68000	7/10/2023; 5:33:00 PM	7/10/2023; 5:34:00 PM	124.33 Mbps	112.46 Mbps
890 Mockstreet, Hometown NE 68000	7/10/2023; 6:35:00 PM	7/10/2023; 6:36:00 PM	120.45 Mbps	110.76 Mbps

Should an applicant’s testing fail to reflect that the entire project area is capable of being served at the required speeds, the applicant must submit along with speed test results a written proposal to remedy the deficiencies. This proposal must include the date upon which speed testing will be conducted a second time, which must be no later than sixty (60) days following the initial speed testing.

Please select one of the following:

- I hereby certify that the attached speed test results reflect that the entire project area is capable of being served with a minimum of 100/100 Mbps service and less than 100 milliseconds latency.
- The attached speed testing does not reflect that the entire project area is capable of being served with a minimum of 100/100 Mbps service and less than 100 milliseconds latency. A plan for remediation is attached.

Thank you for your participation in the Nebraska Broadband Bridge Program. The Commission may contact you with follow-up questions as needed.

ATTESTATION: By signing this document, I attest under penalty of perjury that the information contained in this form and all supporting documents are true and accurate, and that I have undertaken due diligence to obtain knowledge regarding these claims. I understand that the submission of false information in this document shall be considered a violation of an order of the Commission, and may be subject to civil and/or criminal penalties.

Printed Name of Officer or Agent

Date

Title of Officer or Agent

Signature of Officer or Agent



Nebraska Broadband Bridge Program Reimbursement Request

2023 Program Year

As required by order of the Nebraska Public Service Commission in Docket No. C-5484, following project completion, providers who submitted a successful application in the 2023 NBBP grant cycle shall submit all invoices justifying project expenses within ninety (90) days of project completion.

Please attach documentation supporting actual allowable costs incurred in the completion of this project. Final reimbursement requests will be reviewed by the Commission staff, and final payments may be adjusted based on actual allowable project costs and match percentage.

Date of Request:	
Applicant Name:	
Project Name:	
Contact Person:	
Mailing Address:	
Email Address:	
Phone Number:	

Project Completion Date:	
Total Grant Award Amount:	
Total Eligible Project Costs Incurred:	
Agreed Upon Match Percentage:	
Total Reimbursement Received to Date:	
Final Reimbursement Amount Requested:	

Final Reimbursement Request Requirements:

The final reimbursement requests for projects under the Nebraska Broadband Bridge Program should include a cost summary detailing the following information:

- Date (i.e. date of the invoice)
- Amount (should only include allowable, project related amounts)
- Supporting documentation description (i.e. vendor name on the invoice, invoice number, and/or clearly label the documentation that is attached to the request)
- Description of the cost

Cost Summary Example:

Date	Amount	Documentation Description	Cost Description
2/1/2022	\$4,000	Invoice 123ABC	Site Inspection
3/15/2022	\$30,000	Invoice A	Fiber
4/1/2022	\$25,000	Invoice 5782	Contract Labor

Nebraska Broadband Bridge Program Reimbursement Request

The request must also include all supporting documentation (invoices, cost accounting documents, etc.). Examples of allowed and disallowed costs are available on the Commission website at: <https://psc.nebraska.gov/telecommunications/nebraska-broadband-bridge-program-nbbp>

If your company has an agreement with vendors regarding paperless billing, you must notify the Commission in a cover letter submitted with this reimbursement request. In the case of paperless billing, internal accounting system printouts that state the date, amount, invoice/PO number, vendor and description of the cost must be included.

Thank you for your participation in the Nebraska Broadband Bridge Program. The Commission may contact you with follow-up questions as needed.

ATTESTATION: By signing this document, I attest under penalty of perjury that the information contained in this form and all supporting documents are true and accurate, and that I have undertaken due diligence to obtain knowledge regarding these claims. Additionally, I attest that the amounts claimed for reimbursement are allocable and represent the actual costs specifically associated with the direct costs for the grant-funded project area. I understand that the submission of false information in this document shall be considered as a violation of an order of the Commission, and may be subject to civil and/or criminal penalties.

Printed Name of Officer or Agent

Date

Title of Officer or Agent

Signature of Officer or Agent