

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska	)	Application No. NUSF-133
Public Service Commission, on	)	Progression Order No. 2
its own motion, to implement	)	
standards for the verification	)	ORDER GRANTING WAIVER OF
of broadband service provider	)	SPEED TESTING
coverage and speed data.	)	
	)	Entered: March 11, 2025

BY THE COMMISSION:

On March 15, 2022, the Nebraska Public Service Commission ("Commission") opened this proceeding on its own motion to implement standards for the verification of broadband service provider coverage and speed data in accordance with Neb. Rev. Stat. § 86-324.02. Standards for speed testing were issued in this proceeding on November 8, 2022 ("Nov. 8 Order"). These standards were then revised in Progression Order No. 1, in an order dated October 8, 2024 ("Oct. 8 Order").

In the Oct. 8 Order, the Commission found that recipients of ongoing Nebraska Telecommunications Universal Service Fund ("NUSF") support may request a waiver of speed testing in certain circumstances. A recipient may request to waive speed testing for no more than two consecutive testing years, if the network which would otherwise be tested has successfully demonstrated adequate performance within the past three calendar years. A waiver may not be granted for any portion of a network which satisfied testing requirements through alternative means. Requests for waivers must be submitted in writing by February 28 of the year in which testing is required.

For the testing year of 2025, one recipient of NUSF support, Hershey Cooperative Telephone Company ("Hershey"), has requested a waiver of speed testing for the entirety of its network. Upon review of the request, the Commission finds that the request was timely filed, that Hershey has successfully demonstrated adequate performance in previous speed testing years, and that Hershey has satisfied speed testing requirements through the standard speed testing process, and not through alternative means. The Commission therefore finds that Hershey's request for a waiver of speed testing for 2025 is reasonable and should be granted.

Hershey will not be required to submit a customer list or perform other speed testing tasks in the 2025 calendar year.

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Hershey's speed testing obligations, including the submission of a customer list by April 30, will resume in 2026 unless waived by the Commission. As set forth in the Oct. 8 Order, requests for waiver of speed testing must be submitted in writing by February 28 of the year in which testing is required.

O R D E R

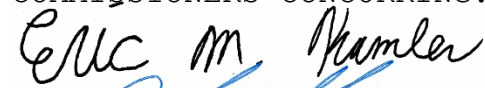
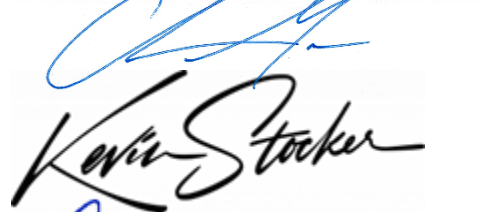
IT IS THEREFORE ORDERED that Hershey Cooperative Telephone Company shall be granted a waiver of speed testing requirements set forth in the above-captioned docket and shall not be required to submit a customer list for testing for the year 2025.

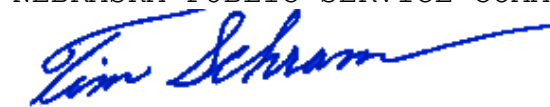
IT IS FURTHER ORDERED that Hershey Cooperative Telephone Company shall be subject to all speed testing requirements in the testing year 2026 and thereafter, unless granted a waiver by the Commission.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 11th day of March, 2025.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



Chair

ATTEST:


Executive Director