

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. C-2831/NUSF-51
Public Service Commission, on) /PI-67
its own motion, seeking to) PROGRESSION ORDER NO. 2
investigate telecommunications) ORDER RELEASING DATA REQUEST
infrastructure development in)
Nebraska.) Entered: September 12, 2006

BY THE COMMISSION:

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

The Nebraska Public Service Commission (Commission) initiated this docket on its own motion on November 5, 2002, to investigate telecommunications infrastructure development in Nebraska. The Commission has periodically surveyed carriers on the pace of broadband deployment most recently by the order issued on January 18, 2006, that required all eligible telecommunications carriers to complete a broadband survey and electronically file the survey responses with the Commission. In reviewing the data submitted, and by comments made at the workshop, there is a strong belief that the data submitted, for various reasons, does not constitute a complete picture of broadband deployment in the state of Nebraska. It appears particularly incomplete in rural areas. In this Order, the Commission seeks to update the requested information on the development of broadband¹ technology in Nebraska to provide a more accurate picture.

In this Order, the Commission requires all regulated entities to respond to its data request. The Commission also strongly encourages all non-regulated entities to respond to this inquiry so that the Commission can collect and report complete and accurate information.

The Commission intends to release company contact information in addition to information on the various methods responding parties use to offer Internet access. It is also our intent to make available to consumers the geographical areas within which service providers offer their services. Confidential treatment will be granted to carriers wishing to keep trade secret information from being released. However, we may wish to release price range information not attributable to

¹ The Commission uses the term broadband to describe services that provide the subscriber with transmission speeds in excess of 200 kbps in each direction.

any particular carrier for certain groups of products or services.

All responding service providers must use the MS Excel spreadsheet and follow the associated instructions both of which can be downloaded from the Nebraska Public Service Commission web site (<http://www.psc.state.ne.us/>) to provide their responses. This step is critical to ensure the data can be correctly loaded into the database and naming anomalies will not occur in the submitted data. A list of solicited information is appended as Attachment A to this Order and is fully incorporated herein.

All data responses to the Commission's inquiry should be filed on or before the close of business **October 3, 2006**. All service providers subject to Commission regulatory oversight shall either file the requested data using the MS Excel spreadsheet or file a statement that they do not provide service for which data is being sought in any area. Persons filing information must file by electronic mail to Communications@psc.ne.gov. Confidential information should be clearly marked.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that information in the above-captioned docket be refreshed as provided herein.

IT IS FURTHER ORDERED that data responsive to the Commission's inquiry must be provided on or before October 3, 2006. Commenters shall file (1) electronic copy of their comments. Confidential information shall be clearly marked.

IT IS FURTHER ORDERED that all providers subject to the Commission's regulatory oversight shall either file the requested data using the MS Excel spreadsheet or file a statement that they do not provide service for which data is being sought in any area.

MADE AND ENTERED at Lincoln, Nebraska this 12th day of
September 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

Attachment A

In the MS Excel spreadsheets on the Commission's website, the Commission seeks data on the following:

For each community, or area served, provide the following information with respect to both residential and business users:

a. For DSL based access:

- 1) Name of Service Provider under which access is offered
- 2) Name of Rate Center where service is offered
- 3) Speed: Maximum Upload speed available from customer premise in kilobits per second (kbps)
- 4) Speed: Maximum Download speed available to customer premise in kilobits per second (kbps)
- 5) Number of Subscribers Service Provider has in service area
- 6) Number of Subscribers who could potentially obtain the DSL Service.

b. For Cable Modem based access:

- 1) Name of Service Provider under which access is offered
- 2) Name of Rate Center or Zip Code where service is offered
- 3) Speed: Maximum Upload speed available from customer premise in kilobits per second (kbps)
- 4) Speed: Maximum Download speed available to customer premise in kilobits per second (kbps)
- 5) Number of Subscribers Service Provider has in service area
- 6) Number of Subscribers who could potentially obtain the Cable Modem Service.

c. For Fiber based access

- 1) Name of Service Provider under which access is offered
- 2) Name of Rate Center where service is offered
- 3) Speed: Maximum Upload speed available from customer premise in kilobits per second (kbps)
- 4) Speed: Maximum Download speed available to customer premise in kilobits per second (kbps)
- 5) Number of Subscribers Service Provider has in service area
- 6) Number of Subscribers who could potentially obtain the Fiber Service.

d. For Evolution Data Optimized (EvDO) based access

- 1) Name of Service Provider under which access is offered
- 2) Name of Rate Center where service is offered
- 3) Speed: Maximum Upload speed available from customer premise in kilobits per second (kbps)
- 4) Speed: Maximum Download speed available to customer premise in kilobits per second (kbps)
- 5) Number of Subscribers Service Provider has in service area

e. For Fixed Wireless based access

- 1) Name of Service Provider under which access is offered
- 2) Name of City/Town/Village where service is offered
- 3) Speed: Maximum Upload speed available from customer premise in kilobits per second (kbps)
- 4) Speed: Maximum Download speed available to customer premise in kilobits per second (kbps)
- 5) Number of Subscribers Service Provider has in service area

f. For Satellite based access

- 1) Name of Service Provider under which access is offered
- 2) Name of City/Town/Village where service is offered
- 3) Speed: Maximum Upload speed available from customer premise in kilobits per second (kbps)
- 4) Speed: Maximum Download speed available to customer premise in kilobits per second (kbps)
- 5) Number of Subscribers Service Provider has in service area

g. Service Offerings - For each service offering provide the following information. Information submitted under this section will be considered confidential and proprietary.

- 1) Name of Service Provider under which access is offered
- 2) Method of Transport (DSL, Cable Modem, Fiber, EvDO, Fixed Wireless, Satellite) used to provide service
- 3) Sales or Marketing Name provider associates with this specific Service
- 4) Maximum Upload speed available from customer premise in kilobits per second (kbps) for listed service
- 5) Speed: Maximum Download speed available to customer premise in kilobits per second (kbps) for listed service

- 6) The Service Type will automatically be determined based upon the upload/download speeds provided
- 7) Non-Recurring rate per unit of term for the service listed
- 8) Recurring rate per unit of term for the service listed
- 9) Term of service in months

h. Consumer Contact Information

- 1) Name of Service Provider under which access is offered
- 2) Mailing Address
- 3) City
- 4) State
- 5) Zip Code
- 6) Telephone Number
- 7) Toll Free Number
- 8) EMail Address
- 9) Web Site URL
- 10) List of all Rate Centers where DSL service is offered
- 11) List of all Rate Centers or Zip Codes where Cable Modem service is offered
- 12) List of all Rate Centers where Fiber service is offered
- 13) List of all City/Town/Villages where Fiber service is offered
- 14) List of all City/Town/Villages where Fixed Wireless service is offered
- 15) List of all City/Town/Villages where Satellite service is offered

Detailed instructions are also posted on the website for providers to follow. Questions regarding the MS Excel Spreadsheets should be directed to Don.Gray@psc.ne.gov.

