

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,     ) Application No. C-3206  
on its own motion, to administer     )  
the Nebraska Internet Enhancement     ) ORDER GRANTING EXTENSION  
Fund.                                     )  
   ) Entered: August 9, 2005

BY THE COMMISSION:

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

On January 11, 2005, the Nebraska Public Service Commission (Commission) awarded Nebraska Internet Enhancement Fund (NIEF) grants to, among others, Box Butte County. The Box Butte County Commissioners have enlisted Mobius Communications Company to install and deliver advanced telecommunications infrastructure and service pursuant to the NIEF Grant Agreement.

Section 3.0 of the NIEF Grant Agreement states that the project shall be commenced within 6 months of the order awarding the grant, unless a request for extension is granted. Mobius Communications Company, acting on behalf of Box Butte County, has submitted a request for a six-month extension.

Mobius had requested placement of their wireless broadband equipment with the Alliance City Manager. This request was accepted. During this process, the Alliance City Manager abruptly resigned his position and an interim city manager was appointed. The interim City Manager subsequently denied the request to use the tower. At this time, Mobius is in the process of securing land for installation of a tower. Mobius expects this process to take up to six (6) months.

The Commission finds that it should grant the extension. The Commission further requires that Box Butte County or its representative advise the Commission of the progress on the status of the project and the efforts to secure the land within ninety (90) days of this order. Failure to timely submit the required update, could result in loss of NIEF funds.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request for extension by Mobius for the Box Butte County NIEF Grant Agreement be, and is hereby, granted.

IT IS FURTHER ORDERED that Box Butte County or its representative shall submit an update detailing the progress made on the NIEF Grant Agreement project within ninety (90) days from this order.

MADE AND ENTERED at Lincoln, Nebraska, this 9<sup>th</sup> day of August, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director