

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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 Fund.) ORDER RESCINDING GRANT
)
)
) Entered: December 18, 2018

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") opened the above-captioned docket, on its own motion, to administer the Nebraska Internet Enhancement Fund ("NIEF") established by the Legislature pursuant to *Neb. Rev. Stat.* §§ 86-579 through 86-580 (Reissue of 2008). The Commission in an order issued on October 17, 2017, adopted grant forms and established a schedule for the 2016-2017 application process and award under the NIEF Grant Program.

The Commission entered an Order on May 22, 2018, awarding grant funding to the following entities: Box Butte County, City of Chappell, and Custer County Board of Supervisors.

On August 23, 2018, Vistabeam contacted the Commission on behalf of the City of Chappell to inquire whether a different project could be substituted for the project originally submitted for grant funding. The Communications Department reviewed the proposed changes to the project and determined it would be a substantively different project than what was proposed. The Communications Department notified Vistabeam and the City of Chappell on September 28, 2018, that such a substantive change in project could not be made under the terms of the NIEF Grant. If this new project was to be undertaken, NIEF funds would only be available if they applied separately.

On October 3, 2018, Vistabeam, on behalf of the City of Chappell, notified the Communications Department they no longer intended to complete the project as proposed. Based on this information, the Commission finds the grant award issued to the City of Chappell on May 22, 2018, in the amount of \$25,000, should be rescinded. No funds should be released on this project.

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Application No. C-3206

Page 2

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the grant funds awarded to the City of Chappell, in the amount of \$25,000, should be, and hereby are, rescinded and the funds shall remain with Nebraska Internet Enhancement Fund.

IT IS FURTHER ORDERED that no funds shall be released to the City of Chappell pursuant to the Grant Agreement.

IT IS FINALLY ORDERED that the City of Chappell should be, and hereby is, released from any obligations created under the Grant Agreement.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 18th day of December, 2018.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Crystal Knodes
Tim Schram
Frank E. Landis

//s//Frank E. Landis
//s//Mary Ridder

Mary Ridder
Chair

ATTEST:

Phil Stettin
Executive Director