

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	Application No. C-5041/
Application of Cox Nebraska)	NUSF-116
Telecom, LLC, Omaha,)	
Nebraska, seeking to)	GRANTED
relinquish its eligible)	
telecommunications carrier)	
designation.)	Entered: April 23, 2019

BY THE COMMISSION:

By application filed February 22, 2019, Cox Nebraska Telecom, LLC, ("Cox") of Omaha, Nebraska, seeks permission to relinquish its Lifeline-only Eligible Telecommunications Carrier ("ETC") designation pursuant to Section 214(e)(4) of the Telecommunications Act of 1934, as amended (the "Act"), 47 U.S.C. § 214(e)(4), and Section 54.205 of the Federal Communication Commission's ("FCC") rules, 47 C.F.R § 54.205. Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 28, 2019. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

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

Cox has been designated as an ETC in this state since March 10, 1998, pursuant to the Commission's order in Docket C-1693.¹ Consistent with 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205, Cox has requested permission to relinquish its ETC designation.

Cox wishes to relinquish its ETC designation because of changes in the industry, decreased customer demand, as well as modifications to the federal Lifeline program by the FCC. In an effort to minimize any impact the relinquishment of ETC status will have on Lifeline subscribers in Nebraska, Cox will provide two customer notifications informing Lifeline subscribers to select a different provider. Cox will provide the first notification at least 60 days prior to ETC relinquishment. Then, at least 30 days prior to ETC relinquishment, Cox will provide a second customer notification.

¹ In the Matter of the Application of Cox Nebraska Telecom II, L.L.C. of Omaha, Nebraska, seeking designation as an Eligible Telecommunications Carrier that may receive universal service support, Docket C-1693 (March 10, 1998).

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-5041/NUSF-116

Page 2

According to 47 U.S.C. § 214(e)(4), a State commission "shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier." This section further requires that the relinquishing ETC "shall give advance notice to the state commission . . . of such relinquishment." Prior to permitting the ETC to cease providing universal service, the Commission "shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier." Cox states that it satisfies all of these requirements.

Based on the foregoing, the Commission finds that Cox satisfies the requirements of 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205 and that its application for relinquishment of ETC designation should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-5041/NUSF-116 should be, and it is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 23rd day of April, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Mary Kiser

Chair

ATTEST

Phil H. [Signature]

Executive Director

Capital [Signature]

Paul [Signature]

Don [Signature]

Tim Schram