

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) APPLICATION NO. NUSF-25  
 Public Service Commission, on ) Progression Order No. 38  
 its own motion, seeking to )  
 establish guidelines for the )  
 purpose of certifying the use ) ORDER  
 of federal universal service )  
 support. )  
 ) Entered: September 18, 2018

BY THE COMMISSION:

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

1. Pursuant to the requirements established by the FCC, recipients of Phase I Mobility Funds were required to file their FCC Annual Form 690 Report with the Commission on or before July 1<sup>st</sup> of this year.<sup>1</sup> The report is intended to provide an adequate description of how the Mobility Funds were used. The Form 690 Report was filed by N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless.

2. 47 C.F.R. § 54.314 requires state commissions, after conducting a detailed review of ETC's use of federal universal service support, to determine whether universal service support was used for its intended purpose in the preceding calendar year and will be used for its intended purpose in the following calendar year.

3. The Commission finds that N.E. Colorado Cellular, Inc. d/b/a Viaero Wireless has demonstrated that they have used federal Mobility Fund Phase I support for the provision, maintenance and upgrading of facilities and services for which support is intended, pursuant to 47 C.F.R § 54.314 (May 8, 2012) and WC Docket Nos. 14-58 and 10-90:

<u>COMPANY NAME</u>	<u>MOBILITY FUND PHASE I STUDY AREA CODE (SAC)</u>
NE Colorado Cellular, Inc. dba Viaero	378001
NE Colorado Cellular, Inc. dba Viaero	378002
NE Colorado Cellular, Inc. dba Viaero	378003

<sup>1</sup> See also 47 C.F.R. §54.1009.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application Nos. NUSF-25  
 Progression Order #38

Page 2

NE Colorado Cellular, Inc. dba Viaero	378004
NE Colorado Cellular, Inc. dba Viaero	378006
NE Colorado Cellular, Inc. dba Viaero	378012
NE Colorado Cellular, Inc. dba Viaero	378013
NE Colorado Cellular, Inc. dba Viaero	378014
NE Colorado Cellular, Inc. dba Viaero	378015
NE Colorado Cellular, Inc. dba Viaero	378017
NE Colorado Cellular, Inc. dba Viaero	378018
NE Colorado Cellular, Inc. dba Viaero	378019
NE Colorado Cellular, Inc. dba Viaero	378020
NE Colorado Cellular, Inc. dba Viaero	378021
NE Colorado Cellular, Inc. dba Viaero	378023
NE Colorado Cellular, Inc. dba Viaero	378024
NE Colorado Cellular, Inc. dba Viaero	378028
NE Colorado Cellular, Inc. dba Viaero	378029
NE Colorado Cellular, Inc. dba Viaero	378030
NE Colorado Cellular, Inc. dba Viaero	378033

4. Accordingly, the Commission will provide certification to the Administrator of the federal high-cost universal service support mechanisms and the FCC, that the above-listed carrier has used federal high-cost support in the preceding calendar year (2017) and will continue to use federal high-cost universal service support in the coming year (2019) only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended in accordance with § 254(e) of the Telecommunications Act of 1996, as amended.

5. Certification in this Order shall not be construed as precedent as to the sufficiency of the information considered acceptable by the Commission in subsequent years.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Department certify to the Administrator of the federal high-cost universal service support mechanisms and the Federal Communications Commission, that the above-listed eligible telecommunications carrier has used and will continue to use in the coming year federal Mobility Fund support only for the provision, maintenance, and upgrading of facilities and/or

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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Application Nos. NUSF-25  
Progression Order #38

Page 3

service for which the support is intended in accordance with § 254(e) of the Telecommunications Act of 1996, as amended.

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

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  


//s//Rod Johnson  
//s//Frank E. Landis

Chair



ATTEST:

  
Executive Director