

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the	)	Application No. NUSF-99.23
Nebraska Public Service	)	
Commission, on its own	)	
Motion, to administer the	)	
Universal Service Fund High-	)	GRANTED
Cost Program: Windstream	)	
Nebraska Inc., Broadband	)	
Grant Request.	)	Entered: January 8, 2019

BY THE COMMISSION:

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

By Application filed November 7, 2018, Windstream Nebraska Inc., (Windstream) seeks high-cost support from the Nebraska Universal Service Fund (NUSF). Notice of the application appeared in The Daily Record, Omaha, Nebraska on November 16, 2018. No protests or interventions were filed; therefore, the Commission processed this application pursuant to its Rule of Modified Procedure.

Windstream seeks support in the amount of one hundred and eight thousand four hundred fifty-five dollars (\$108,455) for the construction of facilities to the northern area of the Bruno, Nebraska ILEC Exchange. Windstream states the Abie community north of the Bruno Exchange is not currently offered broadband services. This project intends to address these customers by placing a fiber fed DSLAM within an appropriate distance to provide a minimum of 10 Mbps up to 100 Mbps download speeds. The project will place one DSLAM site at a remote location approximately 3.5 miles north of the Central Office.

Windstream projects the total deployment cost for the project is \$174,186 but seeks partial support of the total estimated deployment cost at the amount of \$108,455. The difference between the cost and the requested funding is due to the fact that Windstream is not seeking funding for the areas funded by the Federal Communications Commission's (FCC's) Connect America Fund Phase II program and where there is a wireline competitor. Windstream is requesting that the funding for this project be applied against the remaining 2017 funds allotted to Windstream.

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Windstream estimates the project will be completed within 180 days of application approval. If the project is approved, Windstream will commit to providing broadband service to all households in the project area for a minimum of five years.

The Commission staff conducted an analysis of the census blocks submitted and compared the information against the Connect America Fund Phase II eligible areas. The Commission staff also reviewed the census block information and compared it to its wireline Broadband Mapping data, which uses FCC Form 477 deployment data collected by the FCC biannually. The Commission finds support should be granted in the amount of \$108,455 as requested by Windstream.

### Requests for Reimbursement:

Windstream must first make the investment and then may file a request for reimbursement with the NUSF Department. Windstream does not need to complete the construction process prior to seeking reimbursement; rather, it may work with the NUSF Department to develop intervals at which reimbursement can be sought. The NUSF Department will reimburse Windstream for capital improvement costs made relative to and as included in the application filed by the company for the projects approved in this Order. Once the investment is made, Windstream shall file a request for support, provide the NUSF Department with documentation consistent with Department policy and shall certify to the Department that it had made the described investment for the provision, maintenance and upgrading of facilities and services in the described rural areas.

### Reporting Requirements:

Windstream shall file, on an annual basis, consistent with federally designated eligible telecommunications carriers (ETCs), the information required by the Commission's Telecommunications Rules pertaining to ETCs and the investment information required by the Commission's Order in Docket NUSF-66. The report should make clear to the Commission that Windstream will not request reimbursement for equipment where grant money was also received from another source. Windstream shall file its annual report on or before June 1 of each year.

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In addition, the Applicant shall be required to complete the approved projects within two (2) years from the date of this Order unless good cause is shown for a later completion date.

Broadband Commitments:

The Commission maintains broadband availability data and updates that information on at least an annual basis. As a condition of this support, Windstream must report broadband availability to the Commission upon request. Windstream must also confirm that it will not seek duplicative support through the FCC's funding mechanisms.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned application submitted by Windstream be and it is hereby granted as described herein.

IT IS FURTHER ORDERED that Windstream shall be subject to all terms and conditions adopted in this Order.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 8th day of January, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Mary Redden*

*Crystal Gunder* Chair

*Tim Schram*

ATTEST:

*Phillip H. S.*

Executive Director