

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, on its) Application No. NUSF-91
own motion, to increase broadband)
adoption among low-income consumers)
through the development of a Nebraska)
broadband telephone assistance program.)

**MOTION FOR LEAVE TO
SUBMIT LATE-FILED COMMENTS**

COMES NOW Time Warner Cable Information Services (Nebraska), LLC ("TWC"), and hereby moves the Commission for an Order granting it leave to submit late-filed Comments in the above-captioned matter. In support of its Motion, TWC shows the Commission as follows:

1. By Order herein dated October 8, 2013, the Commission established a deadline of October 25, 2013 for the submission on Reply Comments.
2. No interested party would be prejudiced or injured as a result of the late-filing of TWC's Reply Comments.
3. Good cause exists for the late filing of TWC's Reply Comments, in the form attached hereto as Exhibit "A."

WHEREFORE, TWC prays for an Order of the Commission granting it leave to late-file TWC's Reply Comments in the form attached hereto as Exhibit "A."

DATED this 30th day of October, 2013.

TIME WARNER CABLE INFORMATION
SERVICES (NEBRASKA), LLC, Interested Party
herein

BY:



Russell A. Westerhold #22498
FRASER STRYKER PC LLO
500 Energy Plaza
409 S. 17th Street
Omaha, NE 68102
(402) 341-6000
rwesterhold@fraserstryker.com

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**REPLY COMMENTS OF
TIME WARNER CABLE INFORMATION SERVICES (NEBRASKA), LLC**

Time Warner Cable Information Services (Nebraska), LLC (“TWC”) respectfully submits this brief reply pursuant to the Commission’s Order in the above-captioned proceeding.¹ TWC commends the Commission for its interest in exploring policies to promote broadband adoption among low-income consumers. There can be no question that broadband technology and access to the Internet are increasingly critical in many areas of American life, including education, health care, and civic participation among others.² Yet as the Order observes, barriers to adoption—including but not limited to affordability—may prevent low-income consumers from taking advantage of the broadband services that are available to them. Bridging the digital divide thus requires initiatives that stimulate demand for broadband, and not just programs that fund broadband deployment where the economic case for private investment is lacking.

To this end, TWC supports the Commission’s proposal to use current funding under the Nebraska Telephone Assistance Program (“NTAP”) to provide a discount on qualifying broadband services, if the Commission determines that it possess the requisite legal authority to take such action. While affordability may not be the only obstacle to broadband adoption, there is a widespread consensus (reflected in many of the opening comments) that cost is a significant and recurring factor restraining low-income consumers from subscribing to available broadband

¹ Order Opening Docket and Seeking Comment, Application No. NUSF-91 (Aug. 13, 2013) (“Order”).

² See, e.g., Order at 1.



services. For that very reason, the Federal Communications Commission (“FCC”) already is conducting a broadband adoption Lifeline pilot program intended to defray the costs of broadband on a limited basis and is considering other avenues for achieving that goal more broadly.³ But as the Order notes, those initiatives are either pending or not currently available in Nebraska.⁴ In addition, although the federal Lifeline discount of \$9.25 adequately addresses the affordability of voice services, there is no comparable mechanism on the broadband side. A state-funded broadband adoption program such as that proposed by the Commission would fill this gap in support.

To ensure that NTAP funds deliver meaningful consumer benefits, TWC would support using a benchmark of 4 Mbps downstream and 1 Mbps upstream—based on the principal thresholds used at the federal level—to determine whether a particular broadband service is eligible for support. Moreover, to avoid distorting competition, any discount should be made available to all eligible providers on a competitively neutral basis.

TWC looks forward to working with the Commission and other stakeholders to develop and implement policies that promote broadband adoption in Nebraska, particularly among low-income consumers.

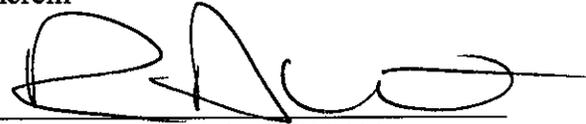
³ See, e.g., *Lifeline and Link Up Reform and Modernization*, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656 ¶¶ 321-54 (2012) (setting forth framework for pilot program); *Lifeline and Link Up Reform and Modernization*, Order, 27 FCC Rcd 15842 (WCB 2012) (selecting participants for pilot program).

⁴ Order at 2.

Respectfully submitted,

TIME WARNER CABLE INFORMATION
SERVICES (NEBRASKA), LLC, Interested Party
herein

BY:

A handwritten signature in black ink, appearing to read "Russell A. Westerhold", written over a horizontal line.

Russell A. Westerhold #22498
FRASER STRYKER PC LLO
500 Energy Plaza
409 S. 17th Street
Omaha, NE 68102
(402) 341-6000
rwesterhold@fraserstryker.com