

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Midstates Data) Application No.
Transport, LLC, dba Stealth Broadband,)
seeking transition of ongoing high-cost) **VERIFIED APPLICATION**
Nebraska Universal Service Support for)
eligible served locations in Qwest)
Corporation, dba Lumen, territory.)

Midstates Data Transport, LLC, dba Stealth Broadband (“Applicant”) files this application with the Public Service Commission (“Commission”), pursuant to the Commission’s Rules of Procedure, seeking receipt of ongoing high-cost Nebraska Universal Service Fund (“NUSF”) for locations for which Qwest Corporation, dba Lumen, the incumbent local exchange carrier (“ILEC”) has carrier of last resort (“COLR”) responsibilities (“Transition Support Area,” as further defined). Applicant is currently offering fiber-based voice and broadband services to all locations in the Transition Support Area. As the Application will set forth, the action sought is consistent with existing law, the Commission’s NUSF Rules and Regulations, as well as orders entered in NUSF-139.

In support of its Application, Applicant provides the following:

1. A description of the Applicant’s organizational structure (Exhibit A), including a certificate of good standing from the Nebraska Secretary of State (Exhibit B).
2. A demonstration that the Applicant is an Nebraska Eligible Telecommunications Carrier (Exhibit C).
3. A commitment verified by the Affidavit below to comply with all provisions of NEB. ADMIN. CODE, tit. 291, ch. 10, § 004.02(G).
4. A commitment verified by the Affidavit below to fulfill to the Commission’s satisfaction the following COLR obligations for so long as the Applicant receives NUSF support:

- a. Offer Voice Services to all locations in the Transition Support Area in compliance with the Commission's rules and regulations.
 - b. Offer reliable Broadband Services to all locations in the Transition Support Area at speeds required by Nebraska statute.
 - c. Offer affordable and reasonably comparable Voice Services and Broadband Services to all locations in the Transition Support Area.
 - i. Rates for Voice Services will be no higher than the Voice Benchmark Rate established by the Commission.
 - ii. Rates for Broadband Services will comply with the Broadband Benchmark Rate established by the Commission.
 - d. Offer 911 and Telecommunications Relay services.
 - e. Participate in the Nebraska Telephone Assistant Program.
5. A description of the Transition Support Area, showing by shapefile all Serviceable Locations for which support is sought is attached to the electronic filing of this Application as Exhibit D. Exhibit D includes locations in town for which Applicant is not seeking high-cost support.
6. A commitment to file the NUSF EARN Form, or any replacement filing, annually.
7. A commitment to file Commission-prescribed NETC certification reports annually.
8. A commitment to provide interconnection with any requesting carrier on a reasonable and nondiscriminatory basis.
9. A commitment to filing speed test data and meeting speed testing metrics consistent with the Commission's Orders in NUSF-133.
10. A commitment that NUSF support received will be used in a manner consistent with the requirements of the NUSF Act (NEB. REV. STAT. 86-316 – 86-239),

Commission Rules and Regulations, and any order or policy of the Commission relevant to the use of NUSF support.

11. An affirmation verified by the Affidavit below that Applicant is not using or deploying communications equipment or service deemed to pose a threat to national security which is identified on the FCC's *List of Equipment and Services Covered by Section 2 of the Secure Networks Act* anywhere on its network.

12. Information responsive to the Commission's NUSF Rules and Regulations (NEB. ADMIN. CODE, tit. 291, ch. 10, § 004.02(G)(i)):

- a. **The cost of providing the supported services.** Applicant requests support for all Serviceable Locations in the Support Transition Area based on modelling approved by the Commission in NUSF-139.
- b. **An estimate of the amount of NUSF high-cost program support needed in the area.** Applicant defers to the modelling approved by the Commission in NUSF-139.
- c. **Benefits to consumers.** Consumers already have access to Applicant's fiber-based telecommunications and broadband services at locations where the ILEC was not offering comparable services.
- d. **The supported services provided in unserved areas.** Applicant will comply with its COLR obligations as stated above.
- e. **A demonstration that the quality of service provided would equal the existing service or be better than service provided.** Such information is publicly available as part of Broadband Data Collection ("BDC") program administered by Federal Communications Commission ("FCC").

- f. **Applicant will adopt existing interconnection agreements for the Transition Support Area as needed to provide services,** consistent with the requirements of NUSF-139.
- g. **Specific demonstration and documentation of the ability of the Applicant to offer service to everyone on its own network.** Such information is publicly available as part of the FCC's BDC program.

Having complied with all statutes, rules, regulations, and orders of the Commission, Applicant respectfully requests the Commission enter an Order:

- 1. Allocating ongoing high-cost support consistent with modelling under NUSF-139 to Applicant for all locations in the Transition Support Area that are eligible for such support;
- 2. Subjecting Applicant to the following COLR duties for so long as it receives NUSF ongoing support:
 - a. Offer Voice Services to all locations in the Transition Support Area in compliance with the Commission's rules and regulations.
 - b. Offer reliable Broadband Services to all locations in the Transition Support Area at speeds required by Nebraska statute.
 - c. Offer affordable and reasonably comparable Voice Services and Broadband Services to all locations in the Transition Support Area.
 - d. Rates for Voice Services will be no higher than the Voice Benchmark Rate established by the Commission.
 - e. Rates for Broadband Services will comply with the Broadband Benchmark Rate established by the Commission.
 - f. Offer 911 and Telecommunications Relay services.
 - g. Participate in the Nebraska Telephone Assistant Program.

3. Holding Applicant to the other commitments it has made in its Application.
4. Relieving ILEC of its COLR duties for all locations in the Transition Support Area.

DATED: October 2, 2025

MIDSTATES DATA TRANSPORT, LLC, dba
STEALTH BROADBAND, APPLICANT

By: REMBOLT LUDTKE LLP
3 Landmark Centre
1128 Lincoln Mall, Suite 300
Lincoln, NE 68508
(402) 475-5100

By: /s/ Andrew S. Pollock
Andrew S. Pollock (#19872)
apollock@remboltlawfirm.com

By: /s/ Jeffrey Owusu-Ansah
Jeffrey Owusu-Ansah (#28033)
jowusuansah@remboltlawfirm.com

VERIFICATION

STATE OF NEBRASKA)
) ss.
COUNTY OF Madison)

Mike D. Storjohann being first duly sworn on oath, deposes and states that he has read the foregoing Verified Application and that the information set forth therein is true to the best of his knowledge and belief and verifies the commitments made in the Verified Application on behalf of the Applicant.



Mike D. Storjohann
Chief Executive Officer

SUBSCRIBED AND SWORN to before me by MIKE D. STORJOHANN on this 2nd
day of October 2025.

(SEAL)



Notary Public



1113 Monroe | Norfolk, NE 68701
1548 Front St, Ste 301 | Blair, NE 68008
201 Oak St | Humphrey, NE, 68642
419 Main St | Neligh, NE 68756

Name of Business:	Midstates Data Transport, LLC d.b.a. Stealth Broadband
Type of Entity:	Partnership – Nebraska Owned
Contact Person – Name:	Mike D Storjohann
Contact Person – Address:	PO Box 634 / 1548 Front St, Ste 301, Blair, NE 68008
Contact Person – Phone:	531-204-0900 / 402-427-3024
Contact Person – Email:	mike.storjohann@stealthbroadband.com

Midstates Data Transport, LLC is a Nebraska owned limited liability company that is wholly owned by Turnkey Holdings, LLC.

**EXHIBIT
A**

STATE OF NEBRASKA

United States of America, } ss.
State of Nebraska }

Secretary of State
State Capitol
Lincoln, Nebraska

I, Robert B. Evnen, Secretary of State of the
State of Nebraska, do hereby certify that

MIDSTATES DATA TRANSPORT LLC

was duly formed under the laws of Nebraska on May 12, 2015;

all fees, taxes, and penalties due under the Nebraska Uniform Limited
Liability Company Act or other law to the Secretary of State have been paid;

the Company's most recent biennial report required by section 21-125 has
been filed by the Secretary of State;

the Secretary of State has not administratively dissolved the company;

the Company has not delivered to the Secretary of State for filing a Statement
of Dissolution;

a Statement of Termination has not been filed by the Secretary of State.

*This certificate is not to be construed as an endorsement,
recommendation, or notice of approval of the entity's financial
condition or business activities and practices.*

In Testimony Whereof,

I have hereunto set my hand and
affixed the Great Seal of the
State of Nebraska on this date of

July 3, 2025



A handwritten signature in black ink, reading "Robert B. Evnen".

Secretary of State



STATE OF NEBRASKA

United States of America, } ss.
State of Nebraska }

Secretary of State
State Capitol
Lincoln, Nebraska

I, John A. Gale, Secretary of State of the
State of Nebraska, do hereby certify that

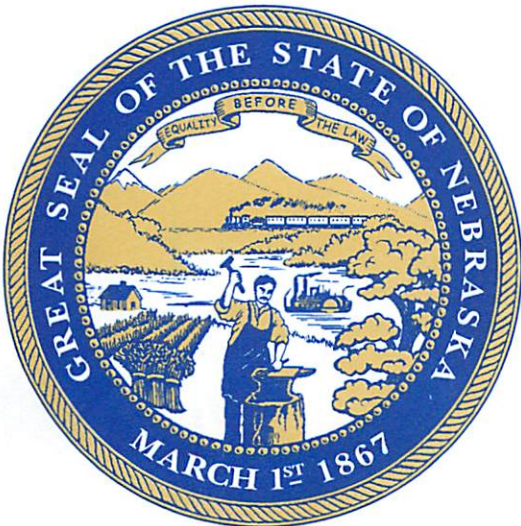
MIDSTATES DATA TRANSPORT LLC

a limited liability company filed a Certificate of Organization on May 12,
2015.

I further certify that attached is a true and correct copy of the above
mentioned Certificate of Organization.

*This certificate is not to be construed as an endorsement,
recommendation, or notice of approval of the entity's financial
condition or business activities and practices.*

In Testimony Whereof,



I have hereunto set my hand and
affixed the Great Seal of the
State of Nebraska on this date of
May 12, 2015

John A. Gale
Secretary of State

CERTIFICATE OF ORGANIZATION
OF

MIDSTATES DATA TRANSPORT LLC

This Certificate of Organization of Midstates Data Transport LLC (the "Company") is being executed by the undersigned for the purpose of forming a limited liability company pursuant to the Nebraska Uniform Limited Liability Company Act, Neb. Rev. Stat. § 21-101 *et seq.*

1. Name. The name of the limited liability company is Midstates Data Transport LLC.
2. Registered Agent and Address. The name and address of the Company's registered agent for service of process in the State of Nebraska is Klint Arnold at 85250 549th Avenue, Pierce, Nebraska 68767.
3. Initial Designated Office. The initial designated office of the Company is 85250 549th Avenue, Pierce, Nebraska 68767.

IN WITNESS WHEREOF, the undersigned, on behalf of the Members of the Company, has caused this Certificate of Organization to be duly executed effective as of the 8th day of May, 2015.


Klint Arnold

STATE OF NEBRASKA ♦ SECRETARY OF STATE'S OFFICE
1445 "K" STREET • STATE CAPITOL SUITE 1301 • LINCOLN, NE • 68509
BUSINESS SERVICES DIVISION

CORPORATIONS

P.O. BOX 94608
(402) 471-4079
FAX: 471-3666

UNIFORM COMMERCIAL CODE

P.O. BOX 95104
(402) 471-4080
FAX: 471-4429

NOTARY

P.O. BOX 95104
(402) 471-2558
FAX: 471-4429

JOHN A. GALE
Secretary of State

www.sos.state.ne.us

WOODS & AITKEN
SUITE 500
301 SOUTH 13TH STREET
LINCOLN, NE 68508

May 12, 2015

ACKNOWLEDGEMENT OF FILING

The document(s) listed below were filed with the Nebraska Secretary of State's Office, Corporation Division. A label has been affixed to each filing signifying the filing stamp for the Nebraska Secretary of State's Office, Corporation Division. This filing label indicates the date and time of the filing and also references a document number that can be used to reference this filing in the future.

Please remember it is your responsibility to notify the Secretary of State's office of any change(s) in the information you filed.

ACKNOWLEDGEMENT OF FILING FEES RECEIVED

Action/Service	Company/Entity Name	Fee Received
Certificate of Organization	MIDSTATES DATA TRANSPORT LLC	100.00
Per Page Charge	MIDSTATES DATA TRANSPORT LLC	5.00
Certificate	MIDSTATES DATA TRANSPORT LLC	10.00
	Total Fees Received	\$115.00

Kenneth Schumacher
Filing Officer

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-5124/
of Midstates Data Transport,) NUSF-118
LLC, Norfolk, Nebraska, for)
Designation as an Eligible)
Telecommunications Carrier in) ORDER GRANTING APPLICATION
the State of Nebraska.)
)
) Entered: September 1, 2020

BY THE COMMISSION:

On May 1, 2020, Midstates Data Transport, LLC ("Midstates" or "Applicant") of Norfolk, Nebraska, filed an application seeking designation as an Eligible Telecommunications Carrier ("ETC") for purposes of the Federal Universal Service Fund ("FUSF") and Nebraska Universal Service Fund ("NUSF"). Notice of the application was published in The Daily Record, Omaha, Nebraska, on May 7, 2020. No formal interventions were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

FINDINGS AND OPINION

The federal Communications Act of 1934, 47 U.S.C. § 214(e), sets forth the standards and processes for a state commission to grant carriers the designation of a federal eligible telecommunications carrier. 291 Neb. Admin. Code § 5-009 of the Commission Rules contains the requirements for Commission designation of ETCs and NETCs.

The three general requirements listed in Section 214(e) are: 1) the carrier must be a common carrier; 2) the carrier must offer the services supported by the federal fund; and 3) the carrier must advertise the availability of those services. The carrier must also demonstrate the ability to fulfill the requirements throughout the service area for which the carrier is seeking ETC designation.

1. Common Carrier

The Act defines a common carrier as a person engaged as a common carrier on a for-hire basis in interstate communications utilizing either a wire or radio technology.¹ However, in its

¹ See 47 C.F.R. § 153(10).

EXHIBIT C

USF/ICC Transformation Order, the FCC found that its authority to promote universal service "does not depend on whether interconnected VoIP services are telecommunications services or information services under the Communications Act."² Instead the FCC adopted a technologically neutral approach, allowing companies to provide voice service over any platform, including IP networks.³ Therefore, pursuant to the FCC's guidelines, Midstates, as an interconnected VoIP provider over a fixed wireless broadband network, is potentially eligible for federal funding and agreed to operate as a common carrier in the census block areas in which it seeks FCC auction support.⁴

2. Supported Services

Federal regulations and Commission rules both require an ETC to demonstrate that it will offer the services that are supported by federal universal service.⁵ The FCC's requirements under 47 C.F.R. § 54.101(a)(1) are as follows:

- a. voice-grade access to the public switched network or its functional equivalent;
- b. minutes of use for local service without additional charge to the end user;
- c. access to emergency services; and
- d. toll limitation for qualifying low-income consumers.⁶

The Commission finds that the Applicant meets each of these requirements, as described below.

A. Voice Grade Access to the Public Switched Network

As stated above, in its 2011 USF/ICC Transformation Order, the FCC modified the definition of a supported service to a technologically neutral approach. This definition now allows companies to provide voice service over any platform, including IP

² *In the Matter of Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing an Unified Intercarrier Compensation Regime; Reform - Mobility Fund*, 26 FCC Rcd 17633, at ¶63 (2011) ("USF/ICC Transformation Order").

³ USF/ICC Transformation Order at 17692-93.

⁴ See *In the Matter of Rural Digital Opportunity Fund*, 35 FCC Rcd 686.

⁵ 47 C.F.R. §§ 54.101(a), 54.202(a); 291 Neb. Admin. Code § 5-009.02A2.

⁶ See *Lifeline Reform Order* at 207-208.

networks.⁷ The FCC's regulations now specify that the functionalities of eligible voice telephony services include voice grade access to the public switched network or its functional equivalent.⁸ Therefore, Midstates provides voice grade access to the public switched network through interconnected VoIP services as required under § 54.101(a).

B. Local Usage

The FCC has defined "local usage" to mean an amount of minutes of use of exchange services provided free of charge to end users.⁹ Midstates proposes to include unlimited local calling and 500 minutes of long distance usage in its rate plans and has committed to complying with any minimum local usage requirements adopted by the FCC or the Commission.

C. Access to Emergency Services

The Applicant states that it provides its customers with access to emergency services by dialing 911 in accordance with federal and state requirements.¹⁰ The Applicant states that it will comply with FCC requirements for back-up power and redundancy for 911 services. The Applicant further states that it will have a reasonable amount of back-up power to ensure functionality without an external source of power, and that it is able to reroute traffic around damaged facilities, and that it is capable of managing traffic spikes resulting from emergencies.¹¹

The Commission notes that it is concerned about the potential location accuracy issues and reliability with regard to 911 access through interconnected VoIP service. However, we recognize this is not unique to the Applicant's service, but a consequence of the technology. The FCC has determined not to make distinctions based on technological delivery methods of voice service. Therefore, the Commission finds the Applicant's service plan meets the requirements of 47 C.F.R. § 54.101(a). However, we find Midstates should provide information to its consumers about the limitations of VoIP-based emergency service capability, particularly with regard to battery backup in case of a power outage. The Commission therefore requires that Midstates will include this information in

⁷ USF/ICC Transformation Order at 17692-93.

⁸ *Id.* See also 47 C.F.R. § 54.101(a).

⁹ 47 C.F.R. § 54.101(a) (2).

¹⁰ *Id.*

¹¹ Application at 2-3.

all VoIP customer billing statements or their functional equivalents for the month of October 2020, and on a regular basis thereafter.

D. Toll Limitation for Qualified Low-Income Customers

Midstates has certified that it provides toll limitation services to qualifying low-income consumers in compliance with 47 C.F.R. § 54.101.

3. Advertisement of Services

Federal and state regulations require an ETC to advertise the availability of supported services and related charges using media of general distribution.¹² ETCs must also publicize the availability of Lifeline or NTAP services in a manner reasonable calculated to reach those that qualify for the service.

Based on the Application and evidence submitted, we find Midstates has provided sufficient commitments to advertise the availability of such services and charges using media of general distribution and in a manner that is designed to reach those likely to qualify for such services. Midstates states in its Application that it will publish advertisements in local newspapers and publish information on its website.

4. Designated Service Area

Midstates states in its Application that it is seeking ETC designation in its Nebraska service area, including but not limited to the Nebraska census blocks for which it receives FUSF or NUSF support. Midstates has announced their intent to seek federal funding through the FCC's Rural Digital Opportunity Fund ("RDOF"), in which bids in a reverse auction will begin in October 2020.¹³ Applicant states that if it does not receive funding in the auction, it will invest its own money into building networks to serve those underserved areas.

As it is not possible to identify the census blocks for which Applicant may receive funding, it is therefore not possible at this time for Applicant to properly identify the service areas in

¹² See 47 U.S.C. § 214(e)(1)(B); 291 Neb. Admin. Code § 5-009.02A3.

¹³ See Report and Order, *In the Matter of Rural Digital Opportunity Fund*, 35 FCC Rcd 686 (Feb. 7, 2020) ("RDOF order").

which it is requesting ETC designation. We therefore find that Midstates shall file, within thirty (30) days following the date Midstates receives any award in the RDOF auction, a detailed description and map depicting the service area which Midstates intends to serve pursuant to the award.

5. Additional Eligibility Criteria

Federal regulations, found at 47 CFR § 54.202, contain additional eligibility requirements that must be met by any carrier seeking ETC designation.¹⁴ Commission Rules substantially mirror the FCC requirements.¹⁵ To meet the additional requirements a company must:

- a. Certify it will comply with the service requirements applicable to the support it receives;
- b. Submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network;
- c. Demonstrate its ability to remain functional in emergency situations; and
- d. Demonstrate that it will satisfy applicable consumer protection and service quality standards.

A. Applicable Service Requirements

Midstates certifies that it will comply with the service requirements applicable to the support it receives.¹⁶ Pursuant to the RDOF guidelines, the FCC has established a minimum performance standard of 25 Mbps download and 3 Mbps upload speed as the threshold qualifying speeds for supported broadband services.¹⁷ Applicant states that it will be offering services that meet or exceed these speeds.¹⁸

B. Five Year Service Improvement Plan

An applicant for ETC status is required to submit to the Commission a five-year plan describing its proposed service improvements or upgrades.¹⁹ The Applicant in this docket has

¹⁴ See 47 C.F.R. § 54.202(a).

¹⁵ See 291 Neb. Admin. Code § 5-009.02.

¹⁶ Application at 3.

¹⁷ RDOF Order at 71.

¹⁸ Application at 2.

¹⁹ 47 C.F.R. § 54.202(a)(1)(ii); 291 Neb. Admin. Code § 5-009.02A6.

indicated that it will file a five-year plan for network deployment, improvements, and upgrades to the Commission consistent with state and federal requirements.²⁰

C. Ability to Remain Functional in Emergency Situations

ETC applicants must demonstrate an ability to remain functional during emergency situations.²¹ Midstates has indicated it will demonstrate its ability to remain functional in emergency situations.²² The Commission finds that Midstates meets this requirement, subject to the requirements set forth in paragraph 2(C) above.

D. Consumer Protection and Service Quality Standards

We next examine Applicant's commitment to service quality. An ETC applicant must demonstrate that it will satisfy applicable consumer protection and service quality standards.²³ In its Application, Applicant committed to satisfying all consumer protection and service quality standards provided by the FCC and any state specific consumer protection and service quality standards.²⁴ We find that Applicant has satisfied the requirement to demonstrate it will comply with applicable consumer protection and service quality standards.

6. Public Interest

Applicants for ETC status must demonstrate that such designation is consistent with the public interest, convenience, and necessity.²⁵ The public interest consideration may include the benefits of increased consumer choice and the unique advantages and disadvantages of the Applicant's service offerings.

Applicant states that its designation as an ETC will advance the public interest by making quality voice and broadband services available in rural, high-cost areas, especially areas now unserved

²⁰ Application at 3-4.

²¹ 47 C.F.R. § 54.202(a)(2); 291 Neb. Admin. Code § 5-009.02A7.

²² Application at 4.

²³ 47 C.F.R. § 54.202(a)(3), 291 Neb. Admin. Code § 5-009.02A8.

²⁴ Application at 4.

²⁵ 47 C.F.R. § 54.202(b); 291 Neb. Admin. Code § 5-009.02A1.

or underserved, at rates comparable to urban areas.²⁶ Applicant also notes that it currently offers fiber-based service in the other rural Nebraska areas it serves, providing customers in those areas with access to affordable and reliable broadband.²⁷ Applicant states that its services will increase public access to various services, as well as create more competitive choices for consumers, causing all carriers to enhance innovation and improve existing networks.²⁸

Based on the evidence before us, we conclude that Applicant's service offerings will provide a public interest benefit and its business plan provides a unique advantage to consumers. We find Applicant has demonstrated that its designation as an ETC would be consistent with the public interest, convenience, and necessity.

7. Provision of Continuous Service

Commission Rule requires that an ETC not only demonstrate the ability and commitment to provide the supported services listed above, but must also demonstrate the ability to continuously provide such services in its designated Service Area.²⁹ We find, upon our review of the Application and Applicant's responses to Commission Data Requests, that Applicant has committed to provide the supported services listed above continuously throughout the census blocks of its Service Area.

8. Provision of Service to Requesting Customers

The Commission's Rules require an ETC to demonstrate its commitment to provide service throughout the designated area to all customers who make reasonable request for service.³⁰ Applicant states that it will provide services continuously throughout its service areas, to all customers making reasonable requests for service, and that it will do so in a timely manner. Applicant also states that it will provide service within a reasonable period of time, if the requesting customer is within Applicant's service area but beyond network coverage, if service can be provided at reasonable cost under 291 Neb. Admin. Code § 5-009.02(A)(5)(b).³¹

²⁶ Application at 3.

²⁷ *Id.*

²⁸ *Id.*

²⁹ 291 Neb. Admin. Code § 5-009.02A4.

³⁰ 291 Neb. Admin. Code § 5-009.02A5.

³¹ Application at 2.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. C-5124/NUSF-118

Page 8

We find Applicant has demonstrated an ability and commitment to satisfy its obligation to provide service upon reasonable request throughout the Company's requested service areas.

9. Nebraska Telephone Assistance Program

The Commission Rules require carriers designated as ETC for purposes of receiving USF support to participate in the Nebraska Telephone Assistance Program ("NTAP") and comply with applicable NTAP rules.³² Applicant states that it will provide services pursuant to the NTAP program.

10. Conclusion

In summary, upon review of the Application and evidence presented at the hearing, we find Applicant has demonstrated that it meets the standards set forth in 47 U.S.C. § 214(e) and applicable state and federal law for the designation of eligible telecommunications carriers in the proposed census block areas for the purpose of participation in the FCC's Rural Development Opportunity Fund, and the Application should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-5024/NUSF-118 should be, and is hereby, granted, and Midstates Data Transport, LLC is designated as an eligible telecommunications carrier in the State of Nebraska for the limited purpose of receiving federal universal service support to participate in the FCC's Rural Development Opportunity Fund, as requested in the Application consistent with the findings and conclusions made herein.

IT IS FURTHER ORDERED that Midstates Data Transport, LLC is hereby declared to be a Nebraska Eligible Telecommunications Carrier for the limited purpose of receiving state universal service support to participate in the Nebraska Telephone Assistance Program.

IT IS FURTHER ORDERED that Midstates Data Transport, LLC shall file information with the Commission evidencing it is advertising through media of general distribution on or before July 1st each year hereafter.

³² 291 Neb. Admin. Code § 10-004.04.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Application No. C-5124/NUSF-118

Page 9

IT IS FURTHER ORDERED that Midstates Data Transport, LLC shall file with the Commission copies of its annual reports filed with the FCC pursuant to 47 C.F.R. § 54.313, within thirty (30) days of the date such reports are filed with the FCC. If Applicant desires a protective order for any confidential information submitted in these reports, Applicant must request one at least sixty (60) days prior to the due date of the first filing.

IT IS FURTHER ORDERED that Midstates Data Transport, LLC shall file a copy of this Order with the Universal Service Administrative Company ("USAC") and the FCC to commence its eligibility for receipt of federal universal service support effective as of the date of this Order.

IT IS FURTHER ORDERED that, should Midstates Data Transport, LLC, receive an award in the FCC's Rural Development Opportunity Fund, it shall file with the Commission no later than thirty (30) days following the award a detailed description and map showing its service area pursuant to the award.

IT IS FINALLY ORDERED that Midstates Data Transport, LLC, shall provide information to its consumers about the limitations of VoIP-based emergency service capability as described above.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 1st day of September, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:







Chair

ATTEST:


Executive Director

Exhibit D

See attached Transition Support file