

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. NUSF-139
Public Service Commission, on its)
own Motion, to consider)
appropriate modifications to the) ORDER IDENTIFYING ISSUES
high-cost distribution and) FOR WORKSHOP NO. 2
reporting mechanisms in its)
Universal Service Fund program in)
light of federal and state)
infrastructure grants.) Entered: April 30, 2024

BY THE COMMISSION:

The Nebraska Public Service Commission ("Commission") initiated this proceeding, on its own motion, on August 29, 2023 ("August 29, 2023 Order"), to consider appropriate modifications to the Nebraska Universal Service Fund ("NUSF") high-cost distribution mechanism and associated reporting requirements.

As determined by the Order adopting the Procedural Schedule in this matter, the Commission invited interested parties to present a list of priority issues to be covered at the initial Commission workshop and hearing.1 The Commission received recommendations from Windstream Nebraska, Inc., the Rural Independent Companies, the Rural Telecommunications Coalition of Nebraska, the Nebraska Rural Broadband Alliance, CTIA, and Charter Fiberlink-Nebraska, LLC and Time Warner Cable Information Services (Nebraska) LLC.

On February 13, 2024, the Commission entered an order identifying the list of priority issues to be discussed at the first workshop and the March 20, 2024 hearing. In that Order, the Commission indicated that the issues included in the February 2, 2024 filings by interested parties which were not included in the first workshop, may be considered at a second workshop held after the March 20, 2024 hearing.2

1 See In the Matter of the Nebraska Public Service Commission, on its own Motion, to consider appropriate modifications to the high-cost distribution and reporting mechanisms in its Universal Service Fund program in light of federal and state infrastructure grants, Application No. NUSF-139, ORDER ESTABLISHING PROCEDURAL SCHEDULE AND SETTING HEARING (January 22, 2024).

2 See In the Matter of the Nebraska Public Service Commission, on its own Motion, to consider appropriate modifications to the high-cost distribution and reporting mechanisms in its Universal Service Fund program in light of federal and state infrastructure grants, Application No. NUSF-139, ORDER IDENTIFYING ISSUES FOR WORKSHOP NO. 1 (February 13, 2024) at 3.

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On March 6, 2024, the Commission held a workshop in Lincoln, Nebraska, and via WebEx. Subsequently, on March 20, 2024, the Commission held a hearing in Lincoln, Nebraska, and via WebEx, on the issues identified in the February 13, 2024 Order.

In consideration of the need to continue to discuss certain issues covered at the first workshop and the hearing, and in light of the additional issues identified by interested parties in their February 2, 2024 issue filings, the Commission finds a second workshop should be scheduled on **Monday, May 13, 2024 at 1:00 p.m. Central Time**, in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska 68508 and via WebEx at <https://sonvideo.webex.com/meet/PSCWebex>. Voice access will be available by dialing 469-210-7159, Access Code 146 153 5285. If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven (7) days is needed when requesting an interpreter.

Issues considered at the second workshop will be as follows:

1. The Commission staff will provide an update on the planned path forward for location-based cost data and cost modeling.
2. The Commission staff will discuss its proposal to suspend the provision of Broadband Deployment Support (BDS) for the 2025 calendar year and the transition to ongoing support. The Commission would also like to discuss any necessary steps to transition ongoing support in light of the passage of Legislative Bill 1031.
3. The Commission staff will discuss the potential unification of the rate-of-return and the price cap carrier budgets. The Commission will open the discussion to concerns by interested parties to the Staff's proposal.
4. The Commission would like to discuss the continued use of NUSF EARN Form and the potential replacement of the earnings tests with a rate comparability test.

At the close of the second workshop, to the extent that additional workshops are needed to discuss the relevant issues,

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the Commission may schedule a third workshop, or in the alternative, the Commission may invite interested parties to present a proposed procedural schedule for Commission consideration.





O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the issues set forth above shall form the agenda for the second workshop to be held on **Monday, May 13, 2024 at 1:00 p.m. Central Time**, in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska 68508 and via WebEx.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 30th day of April, 2024.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Deputy Director