

**BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION**

**WINDSTREAM NEBRASKA, INC.**            )  
**PETITION TO DEREGULATE**            )  
**CERTAIN MARKETS**                    )  
  )

Application No.

**WINDSTREAM NEBRASKA, INC. PETITION TO  
DEREGULATE CERTAIN MARKETS**

Pursuant to the Telecommunications Exchange Deregulation Act, NEB. REV. STAT. §§ 86-1601 to 86-1611, (the “Act”) Windstream Nebraska, Inc. (“Windstream”) petitions the Public Service Commission (“Commission”) to deregulate its Lincoln exchange (the “Exchange”). Windstream respectfully requests the Commission to grant the requested relief for the following reason: there are at least two competitors that are unaffiliated with Windstream providing voice communications services in at least ninety percent of the household locations in the Exchange. Windstream provides more detailed evidence in the accompanying exhibits. In support of this petition (the “Petition”), Windstream provides the following:

**I. STATEMENT OF FACTS**

Pursuant to the Act, “an electing local exchange carrier may initiate a proceeding to deregulate one of such carrier's exchanges.” The Act defines an electing local exchange carrier as “a telecommunications company holding a certificate to offer local exchange telecommunications services within Nebraska issued on or before February 8, 1996...” The Act further provides that, within one hundred twenty days (120) days of this Petition, the Commission must determine whether the regulated exchange should be classified as deregulated and issue a final order classifying the exchange in accordance. Section 4 of the Act adopts the following standard:

(2)(a) In making a determination under subsection (1) of this section, the commission shall presume that an exchange is competitive and that deregulation of the exchange is in the public interest if, in addition to the electing local exchange carrier, there are at least two other carriers, including one wireline or cable carrier,

providing voice communications service in at least ninety percent of the household locations outside of tribal areas known at the time of application in the exchange. The presumption may be rebutted by evidence sufficient to determine that:

(i) More than ten percent of the household locations outside of tribal areas known at the time of application in the exchange do not have, in addition to the electing local exchange carrier, at least two other carriers, including one wireline or cable carrier, providing voice communications service; or

(ii) Household locations outside of tribal areas known at the time of application in the exchange have no carrier other than the electing local exchange carrier capable of providing voice communications service to locations known at the time of application. For purposes of this subdivision (2)(a)(ii), voice communications shall not include the transmission, conveyance, or routing of real-time, two-way voice communications to a point or between or among points by or through satellite.

As shown in Exhibit 1, the Exchange has at least two competitors that are unaffiliated with Windstream that operate and provide voice communications service in the Exchange addressed in this Petition. The unaffiliated competitors provide wireline services, and each competitor and the service technology used is included in the attached exhibits. Exhibit 1 contains: a) a map illustrating Windstream's Exchange area boundaries; and b) a summary table including the competitors operating in the Exchange.

The competitor information was gathered from the Federal Communications Commission's ("FCC") Broadband Data Collection, released on December 31, 2024.

## **II. PUBLIC INTEREST**

Competition in the telecommunications marketplace is widely recognized as a driver of improved customer experience, increased service options, and more competitive pricing. Where multiple providers actively compete, market forces—rather than legacy regulatory mandates—best protect consumers and promote innovation. As demonstrated in this Application, at least two unaffiliated competitors provide voice communications service in more than ninety percent of the Exchange. The presence of robust competition confirms that the Exchange no longer reflects the

historical single-provider environment that originally justified traditional rate, service, and tariff regulation. Accordingly, the continued application of those obligations is neither necessary to protect end users nor consistent with the public interest.

Granting this Application will enable the Applicant to more efficiently allocate capital and operational resources toward the deployment of advanced communications technologies. Deregulation in competitive markets streamlines the regulatory framework and eliminates obsolete requirements that impede private sector investment in next-generation infrastructure. This, in turn, accelerates the deployment of advanced communications services, enhances network resiliency, and supports improved service quality for residential, business, and enterprise customers throughout Nebraska.

Approval of this Application will further the continued development and expansion of communications technologies within the Exchange and reinforce a regulatory environment that incentivizes carriers to compete on price, quality, and service offerings in an increasingly dynamic marketplace.

Finally, consistent with the Act, because at least two unaffiliated competitors provide voice communications service in at least ninety percent of the Exchange, the Commission is required to presume that the Exchange is competitive and that deregulation of the Exchange is in the public interest.

### **III. RELIEF REQUESTED**

Windstream respectfully requests that the Commission:

1. Initiate a proceeding to address the Petition;
2. Grant the Petition, determine that the markets in question should be deregulated, and issue a final order classifying those markets accordingly;

3. Classify Windstream Nebraska, Inc. as a Transitioning Carrier as defined by the Act;  
and
4. Grant such other relief to which Windstream may be entitled.

Dated this 30th day of April, 2026.

Windstream Nebraska, Inc.

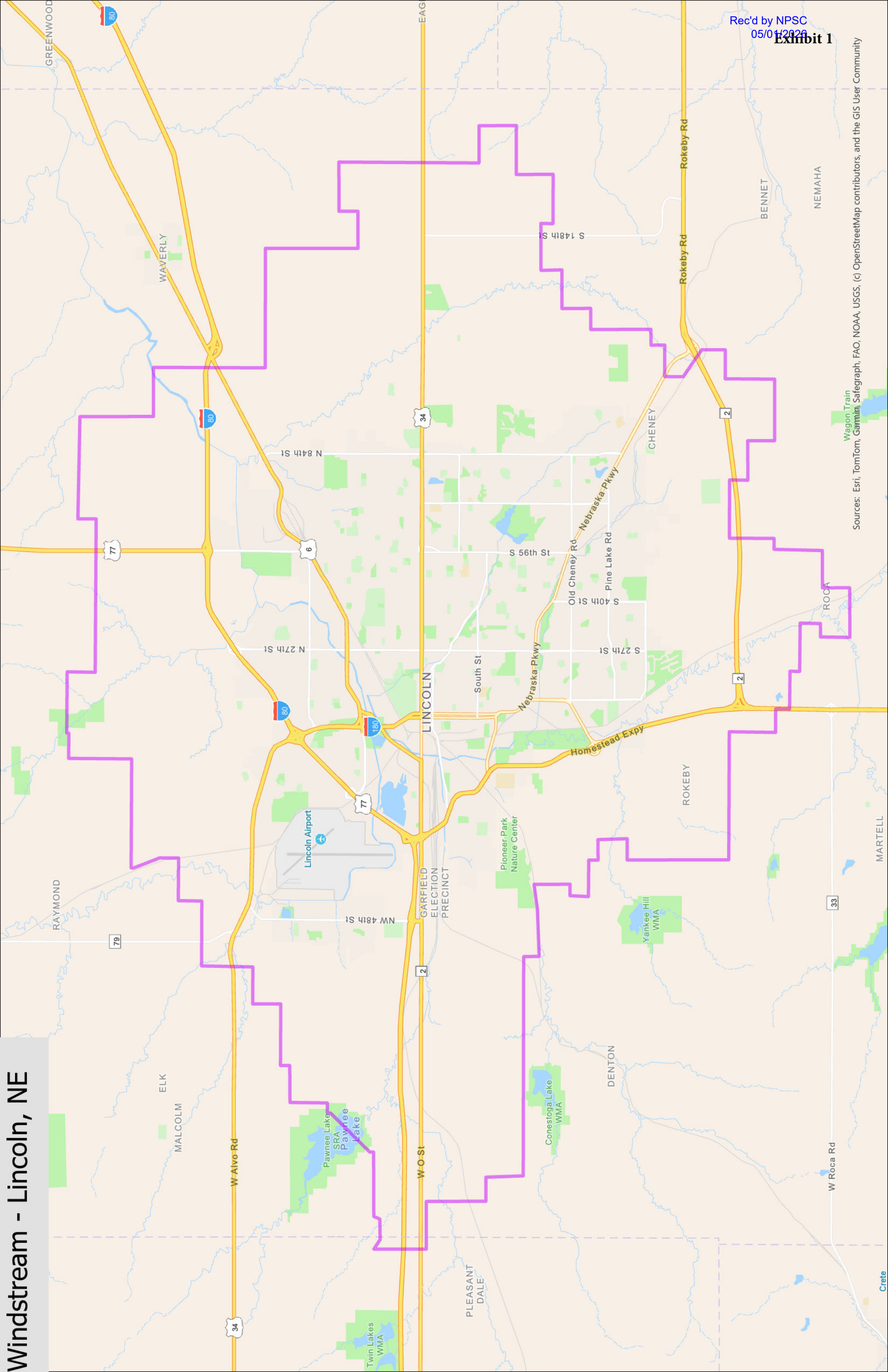
By: /s/ Mary E. Vaggalis  
Mary E. Vaggalis, #25776  
Isabel M. Cheesman, #28419  
Bruning Law Group  
1125 Q Street, Suite 501  
Lincoln, NE 68508  
mary@bruninglawgroup.com  
isabel@bruninglawgroup.com

**VERIFICATION**

My name is Marissa Myers, I am the Senior Director – Broadband Qualification & ILEC GIS Records, for Windstream Nebraska, Inc. (“Applicant”) and am authorized to issue this sworn statement. I am personally familiar with the information used to develop this Application and attest to the accuracy of the information contained herein based on the information available as of this filing.

  
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Marissa Myers  
*Windstream Nebraska, Inc.*  
Senior Director – Broadband Qualification  
& ILEC GIS Records

# Windstream - Lincoln, NE



Rec'd by NPSC  
05/01/2026  
Exhibit 1

Sources: Esri, TomTom, Garmin, Safegraph, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

**Exchange Competition**

There are a total of 147,063 locations in the Exchange, 139,857 or 95% of those locations have two more competitors available.

<b>Competitor</b>	<b>Technology Type</b>	<b>Source</b>
Allo Communications	Optical Carrier Fiber to the End User	FCC BDC Data released December 31, 2024
AT&T	Optical Carrier Fiber and TDM to the End User	Coverage Map Attached
Nextlink	Optical Carrier Fiber to the End User	FCC BDC Data released December 31, 2024
Charter Communications aka Spectrum	CABLE MODEM - DOCSIS 3.1	FCC BDC Data released December 31, 2024