

**BEFORE THE
NEBRASKA PUBLIC SERVICE COMMISSION**

In the Matter of the Nebraska Public)	
Service Commission, on its Own)	
Motion, to Consider Appropriate)	
Modifications to the High-Cost)	
Distribution and Reporting)	Application No. NUSF-139
Mechanisms in its Universal Service)	
Fund Program in Light of Federal and)	
State Infrastructure Grants)	

**TESTIMONY OF TIMOTHY J GOODWIN
IN RESPONSE TO PROGRESSION ORDER NO. 8
ON BEHALF OF CHARTER FIBERLINK - NEBRASKA, LLC, AND
TIME WARNER CABLE INFORMATION SERVICES (NEBRASKA), LLC**

Introduction and Background

Q. PLEASE STATE YOUR NAME AND PROVIDE SOME BACKGROUND FOR YOUR TESTIMONY TODAY.

A. My name is Tim Goodwin. I have worked in telecommunications policy for more than 23 years in various capacities and have appeared before this Commission on numerous occasions. For the past four years, I have served as Vice-President of State Regulatory Affairs for Charter Communications. I testify today on behalf of Charter Fiberlink-Nebraska, LLC and Time Warner Cable Information Services (Nebraska), LLC, two of Charter's affiliates that offer voice services in Nebraska.

Charter and its affiliates deliver a full range of state-of-the-art residential and business services including Spectrum Internet®, TV, Mobile and Voice—over an advanced communications network. Collectively, Charter affiliates serve approximately 145,000 customers in 94 Nebraska communities. In 2024 alone, we invested more than \$40 million in our Nebraska network and infrastructure,

expanding service to 4,000 new homes and businesses. Nationally, Charter invested nearly \$47 billion from 2020-2024, including more than \$11 billion in 2024, and now operates over 900,000 miles of network infrastructure passing more than 57 million homes and businesses. Charter is also the nation's leading rural broadband provider. Through a multi-year rural construction initiative supported by more than \$7 billion in private investment, Charter is adding over 100,000 miles of fiber-optic network infrastructure to deliver multi-gigabit speed internet access to more than 1.7 million additional locations nationwide.

Clarifying the Definition of "Support Area"

Q. FOR WHICH TOPICS IN PROGRESSION ORDER NO. 8 DOES CHARTER OFFER TESTIMONY?

A. In Progression Order No. 8, the Commission requested testimony on multiple topics. I limit my testimony to one issue: the definition of "support area" proposed for Title 291, Chapter 10, § 001.01(V) of the Nebraska Administrative Code:

SUPPORT AREA. A geographic area containing broadband and voice capable serviceable locations within a service area designated by the Commission in which an NETC receives a specific level of NUSF support.¹

Q. WHAT CLARIFICATIONS DOES CHARTER PROPOSE FOR THE DEFINITION OF "SUPPORT AREA" PROPOSED IN PROGRESSION ORDER NO. 8 IN THIS PROCEEDING?

A. Charter supports using the terms "support area" and "service area" to identify the locations where NETCs receive support and assume service

¹ The underlined language reflects the change that Progression Order No. 8 proposes to add to the current definition at § 001.01(V).

obligations supported by NUSF surcharges. However, we recommend clarifying the definition of “support area” to include only “**unserved**” locations lacking broadband access, consistent with the Commission’s prior policies and orders and the recent revisions to Neb. Rev. Stat. § 86-324.01. Our proposed revision is as follows:²

SUPPORT AREA. A geographic area containing broadband and voice capable serviceable locations ***that lacks access to broadband service at speeds of 25 megabits per second for downloading and 3 megabits per second for uploading,*** within a service area designated by the Commission in which an NETC receives a specific level of NUSF support. ***However, consistent with Neb. Rev. Stat. § 86-324.02, if a broadband serviceable location within an NETC’s support area is subject to a federally enforceable commitment for that NETC to deploy infrastructure capable of access to the Internet at speeds of at least one hundred megabits per second for downloading and at least twenty megabits per second for uploading, the Commission shall continue to provide the NETC ongoing high-cost support from the fund so long as the recipient of the ongoing high-cost support is in compliance with the deployment obligations of such federally enforceable commitment and the requirements of the fund.***

These clarifications are important to ensure consistency with the Commission’s established policies and orders.

Q. PLEASE EXPLAIN THE CLARIFICATION CHARTER PROPOSES TO THE FIRST SENTENCE ABOVE.

A. While Charter supports the clarification proposed in Progression Order No. 8, we believe additional refinements are needed. Specifically, our revision underscores that NUSF funds should not be used to duplicate existing

² The clarifications Charter proposes are identified in ***bold/italic/underlined*** text.

broadband infrastructure – a core principle repeatedly affirmed by the Commission. As stated in Progression Order No.1 at pages 5-6: “[T]he Commission retains the 25/3 Mbps benchmark as the standard to determine which census blocks are eligible for broadband deployment support in 2024.... [A]s a policy matter, any continued use of broadband deployment support should focus on those locations that lack broadband at speeds of 25/3 Mbps.”

Given the limited nature of NUSF funds and the already high surcharge rate, no NETC should be able to interpret the “support area” definition in a way that diverts resources from unserved Nebraskans to duplicate existing broadband networks financed without NUSF support.

Q. PLEASE EXPLAIN THE CLARIFICATION CHARTER PROPOSES REGARDING NEB. REV. STAT. § 86-324.02(2)(A).

A. Our second clarification ensures proper implementation of Neb. Rev. Stat. § 86-324.02(2)(a), which allows ongoing support to NETCs for locations being built out under federally enforceable commitments. Of course, the level of NUSF support must account for federal funding already directed to those locations, but that calculation falls outside the scope of defining a “support area.” For this purpose, it is sufficient to define “support area” as encompassing broadband serviceable locations currently unserved by broadband, subject to the exceptions noted in Neb. Rev. Stat. § 86-324.02(2)(a).

Conclusion

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes. Charter appreciates the Commission's continued opportunity for all parties to participate in this proceeding and will remain actively engaged as the Commission evaluates these important issues.

Dated: September 16, 2025

Charter Fiberlink – Nebraska, LLC and Time
Warner Cable Information Services
(Nebraska), LLC

By: /s/ Kevin M. Saltzman
Kevin M. Saltzman, #20874
KUTAK ROCK LLP
The Omaha Building
1650 Farnam Street
Omaha, NE 68102-2186
Phone: (402) 346-6000
Kevin.Saltzman@KutakRock.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 16th day of September, 2025, the above Testimony of Timothy J. Goodwin in Response to Progression Order No. 8 on Behalf of Charter Fiberlink – Nebraska, LLC, and Time Warner Cable Information Services (Nebraska), LLC in Application No. NUSF-139, was delivered via electronic mail to the following:

Nebraska Public Service Commission:

psc.nusf@nebraska.gov
shana.knutson@nebraska.gov

Nebraska Rural Independent Companies:

Mr. Paul Schudel
WOODS AITKEN, LLP
301 South 13th Street, Suite #500
Lincoln, NE 68508
pschudel@woodsaitken.com

Rural Telecommunications Coalition of Nebraska:

Mr. Russell Westerhold
EDWARDS WESTERHOLD MOORE
1233 Lincoln Mall, Suite #201
Lincoln, NE 68508
rwesterhold@ewmlobby.com

Nebraska Rural Broadband Alliance:

Mr. Andy Pollock
REMBOLT LUDTKE LLP
3 Landmark Centre
1128 Lincoln Mall, Suite 300
Lincoln, NE 68508
apollock@remboltlawfirm.com

Lumen:

Ms. Katherine A. McNamara
MCGRATH, NORTH
Suite 3700 First National Tower
1601 Dodge Street
Omaha, NE 68102
kmcnamara@mcgrathnorth.com

Cox Nebraska Telecom, LLC:

Ms. Deonne Bruning
DEONNE BRUNING PC LLO
2901 Bonacum Drive
Lincoln, NE 68502
deonnebruning@neb.rr.com

CTIA:

Mr. Loel Brooks
BROOKS, PANSING BROOKS PC, LLO
1314 "O" Street, Suite 104
Lincoln, NE 68508
lbrooks@brookspanlaw.com
and
Mr. Matthew DeTura
1400 16th Street NW, Suite 600
Washington, DC 20036
mdetura@ctia.org

Windstream Nebraska, Inc.:

Ms. Mary E. Vaggalis
BRUNING LAW GROUP, LLC
1125 Q Street, Suite 501
Lincoln, NE 68508
mary@bruninglawgroup.com
and
Ms. Nicole Winters
4005 North Rodney Parham Road
Little Rock, AR 72212
nicole.winters@windstream.com

Northeast Nebraska Telephone Company:

Mr. Pat McElroy
110 East Elk Street
Jackson, NE 68743
pat.mcelroy@nntcemployee.com

/s/ Kevin M. Saltzman