

March 26, 2024

Nebraska Public Service Commission
PSC Broadband
1200 N Street
Suite 300
Lincoln, NE 68508



Dear Commission Staff,

I am writing to provide supplementary information regarding the challenge presented by AMG/Nextlink to Pinpoint Communications' CPF Application for the Johnson to Talmage project.

On March 5, 2024, Pinpoint Communications requested essential information from AMG/Nextlink to substantiate their challenge of the Pinpoint application. However, despite our request, no pertinent data was provided by AMG/Nextlink to validate their case. Again, on March 25, 2024, I reiterated our request for information in addition to copying the PSC Broadband email and commission staff, which prompted an immediate response from Ms. Akins, acknowledging my request and citing oversight on their part.

Upon receiving the belated information from AMG/Nextlink, several shortcomings have come to light. Firstly, AMG/Nextlink failed to provide several attachments that are part of a valid challenge. They failed to send Attachment B which would have been a .SHP file that had the locations they were contesting. They failed to send Attachment C which would have been the valid speed test data for 7 days from the locations that are stated to have 100/20M speed service today. They have failed to send Attachment D which shows they are marketing the provided services to the general public. They failed to also send attachment E showing their compliance with the BDC filings associated with these locations in question.

AMG/Nextlink has provided Pinpoint with the notice to challenge application portion, limited Attachment G, which is a limited propagation map showing their existing engineered coverage, but it doesn't show any distinct tower locations that they would be serving these customers from or any other relevant plant information that would substantiate their ability to serve the project area. Without having full engineering documents and understanding their platform along with understanding how many customers are off each sector it is hard to imagine that AMG/Nextlinks services are robust enough to ensure that long-term service will remain at a high level for the life of the network. Additionally, the propagation maps submitted lack real-world accuracy, reflecting only ideal scenarios rather than practical deployment conditions.


Additionally, AMG/Nextlink has provided an Attestation letter regarding their lack of sending in valid speed tests. This is concerning as it is important for the locations that AMG/Nextlink is claiming to be served need to be verified by the commission staff in these proceedings. Without valid information, the staff will be unable to determine the validity of the challenge. While they expressed willingness to conduct additional tests, their delay in getting the information for us to analyze has pushed them outside of the timeline for AMG/Nextlink to submit a valid seven-day testing result within the commission's stipulated timeframe.

Overall, we believe that AMG's challenge lacks substantive evidence due to the absence of several of the required attachments and the lack of valid location-based speed tests for the purportedly affected areas. These shortcomings don't give commission staff nearly enough information to make an informed decision on their capabilities.

In conclusion, we urge careful consideration of these shortcomings in evaluating AMG/Nextlinks' challenge. Valid, real-world data is indispensable for making informed decisions, and AMG's failure to provide such data undermines the credibility of their challenge.

Thank you for your attention to this matter. Should you require any further clarification or information, please do not hesitate to contact me.

Sincerely,


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