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BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, on its own motion, seeking to update and amend Title 291, Chapter 5, Telecommunications, in its entirety.	)))	Rule and Regulation No. 214

COMMENTS BY NEBRASKA RURAL INDEPENDENT COMPANIES IN RESPONSE TO ORDER RELEASING SECOND PROPOSED RULES

The Nebraska Rural Independent Companies ("RIC")[1] submit these Comments in response to the Order Releasing Second Proposed Rules, Seeking Comment and Setting Hearing entered by the Nebraska Public Service Commission (the "Commission") in this matter on October 6, 2026 (the "*October 6 Order*").[2] In the below Comments, RIC will respond to each of the seventeen Topics for comment set forth in the *October 6 Order.* The second draft of the proposed Telecommunications Rules and Regulations attached to the *October 6 Order* will be referred to in these Comments as the "Proposed Rules."

RIC appreciates the opportunity to provide these Comments to the Commission.

1. Definitions

RIC supports the Commission's proposed changes to the Definitions set forth in Section 001 of the Proposed Rules. As stated in RIC's Comments filed in this docket on December 4, 2025, the Nebraska Telecommunications Regulation Act contains

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[1] Consolidated Telephone Company, Consolidated Telco, Inc., Consolidated Telecom, Inc., The Curtis Telephone Company, Great Plains Communications, LLC, Hamilton Telephone Company, Hartington Telecommunications Co., Inc., Hershey Cooperative Telephone Company, Inc., K & M Telephone Company, Inc., The Nebraska Central Telephone Company, Northeast Nebraska Telephone Company, Sodtown Communications, Inc., and Three River Telco.

[2] *In the Matter of the Commission, on its own motion, seeking to update and amend Title 291, Chapter 5, Telecommunications, in its entirety,* Rule and Regulation No. 214, Order Releasing Second Proposed Rules, Seeking Comment and Setting Hearing (Oct. 6, 2026) (the "*October 6 Order*").

definitions in sections 86-104-107, 86-110, 86-111.01, 86-115, 86-116, 86-119, 86-121 and 86-121.01 that are not included in the list of definitions in Section 001.

RIC again suggests that the Commission give favorable consideration to the addition of the following language to Section 1.01: "To the extent that a term or terms are not defined in these Definitions, and if a definition of the term or terms at issue in a matter before the Commission is provided in relevant Nebraska statutes, the Commission shall utilize the statutory definition in the relevant context."[3]

RIC notes that the definitions of "Operator" (Rule 001.01(MM)) and of "Operator Service Provider" (Rule 001.01(NN)) remain in the definitions section of the Proposed Rules. However, the Commission proposes the deletion the "Operator Rules" section of the Proposed Rules (formerly Rule 002.08). Since the context for use of these definitions will be removed from the Proposed Rules, these two definitions should also be deleted.

2. Wire Crossing Agreements

RIC recommends the addition of the words "duct" and "conduit" to the list of facilities which may be placed beneath a railroad's right of way that currently appear in Proposed Rule Section 011.04(A), second and third lines. These additions should also be made to the list of facilities that appear in Sections 011.02, 011.04(A)(i), 011.04(B), 011.04(C), 011.04(D), 011.04(A).

Further, RIC recommends that the last sentence of Proposed Rule Section 011.04(C) be revised to read as follows: "Fees prohibited include, but are not limited to, application

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[3] *See, id.,* Comments of Rural Independent Companies at pp. 2 and 10 (Dec. 4, 2025) ("*RIC Dec. 4 Comments*").

fees, processing fees and insurance premiums in excess of prevailing market-based premiums for similar coverages."

RIC notes the following typographical errors in revised Section 11: The reference to Section 013.04 at the end of Section 11.02(B) should be changed to Section 011.04; the reference to Section 003.02(C) in the second line of Section 11.02(D) should be changed to Section 11.02(C); and the reference to Section 013.02(C) in the second line of Section 11.02(E) should be changed to Section 011.02(C).

Subject to RIC's recommendations above, substantively, RIC supports the new proposed language added to Section 011 by the Commission. Please refer to RIC's Comments filed in Application No. C-5685/PI-259 on January 21, 2026 for a comprehensive set of RIC's recommendations relating to Section 11 of the Proposed Rules.[4]

3. Operator Rules

RIC agrees with the Commission's recommendation to delete this section in its entirety.

4. Response Time; Answering Time Objectives; Dial Service Objectives; Loop Transmission Objectives

In its previously filed Comments, RIC recommended that the sections of the current Telecommunications Rules addressing the above subjects be deleted as obsolete.[5] RIC continues to advance this recommendation. However, if the Commission has concluded that these Rules should be retained, and RIC does not oppose such conclusion.

5. Customer Provided Semi-Public Telephones

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[4] *In the Matter of the Nebraska Public Service Commission, to investigate standard crossing fees charged for telecommunications companies to access rights-of-way controlled by railroad carriers*, Application No. C-5685/PI-259, Comments of Rural Independent Companies (Jan. 21, 2026).

[5] *RIC Dec. 4 Comments* at p. 5.

RIC agrees with the Commission's recommendation to delete this section in its entirety.

6. Directories

While RIC would prefer that the Proposed Rules would no longer require the provision of printed directories in response to customer requests, RIC will support the Commission's addition to Proposed Rule 002.19(A) that a printed directory shall be made available to a customer, upon request.

7. Service Area; Exchange Maps

RIC supports the Commission's additions to Section 002.22 of the Proposed Rules.

8. Filing of Commercial Agreements

RIC agrees with the Commission's recommendation to delete this section in its entirety.

9. Transfers of Control

RIC agrees with the Commission's modifications to Proposed Rule Section 002.23 as being consistent with the Commission's recent orders regarding transfers of control.

10. Extended Area Service

RIC reaffirms its position that the existing Rules relating to the establishment of new EAS routes be deleted entirely, but that the Rules relating to the discontinuance of EAS remain in place.

11. Reinstatement of a Subscriber in a Premium Program

RIC agrees with the Commission's recommendation to delete this section in its entirety.

12. Eligible Telecommunications Carriers

The Commission proposes an addition to Proposed Rule 007.02(A)(vii) that would require a carrier seeking high-cost support to provide customers with a separate power source with access to at least eight hours of back-up power without additional charge.

Implementation of this requirement would be directly in conflict with FCC requirements and therefore, RIC recommends that this addition be deleted.

The FCC's rule addressing carriers' backup power obligations is 47 C.F.R. sec. 9.20. Sub-section (b)(1) of this Rule had required carriers providing "Covered Services" to offer customers an option to purchase a minimum of eight hours of standby backup power. However, sub-section (g) of this Rule provides: "The requirements of this section shall no longer be in effect as of September 1, 2025." As such, the FCC currently has no backup power requirement, and RIC submits that the Proposed Rules should be consistent with FCC rules and thus should contain no backup power requirement. Subject to the foregoing, RIC supports the Commission's recommended wording of Section 007 of the Proposed Rules.

13. Nebraska Telecommunications Relay System

RIC recommends that Section 008.03 of the Proposed Rules should be revised to read as follows: "Any person using NTRS shall not be charged for access to such system other than charges billed for call types such as calls placed from payphones, calls placed to and from international locations, calls placed to Directory Assistance, or other paid services." Further, RIC recommends that Section 008.09 of the Proposed Rules should be revised to read as follows: "Telephone companies shall provide, at no charge, information regarding relay services in telephone directories where such directories are published. If a directory is not published, the information shall be made available on the company's website or through a billing insert (hard copy or electronic)."

14. Deregulation of an Exchange

RIC has no comments regarding Proposed Rule Section 013.

15. Treatment of Confidential Information

RIC supports the Commission's wording of Proposed Rule Section 015 regarding Submission of Confidential Information.

16. Rural Communications Sustainability Act

In light of the Commission's decision not to include a section in the Proposed Rules regarding the Rural Communications Sustainability Act, RIC recommends that the Commission open a rulemaking proceeding to modify Chapter 10 of its Rules (relating to the NUSF) to include RIC's recommendations on this subject as previously submitted in this docket.[6]

17. Other Issues

At this time, RIC has not identified other issues on which it desires to provide comments.

Conclusion

As stated above, the Nebraska Rural Independent Companies appreciate the opportunity to provide these Comments in response to the *October 6 Order*. RIC looks forward to continuing its participation in this proceeding.

[6] *Id.* at pp. 7-8.

Dated: October 30, 2026.

Consolidated Telephone Company, Consolidated Telco, Inc., Consolidated Telecom, Inc., The Curtis Telephone Company, Great Plains Communications, LLC., Hamilton Telephone Company, Hartington Telecommunications Co., Inc., Hershey Cooperative Telephone Company, Inc., K & M Telephone Company, Inc., The Nebraska Central Telephone Company, Northeast Nebraska Telephone Company, Sodtown Communications, Inc. and Three River Telco (the "Rural Independent Companies")

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 30th day of October 2026, electronic copies of the foregoing pleading were delivered to the Nebraska Public Service Commission at psc.nusf@nebraska.gov and to the parties of record in this proceeding.

Paul M. Schudel

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