



**Nebraska Public Power District**

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Public Service Commission  
Application No. C-5461/PI-244

Comments on Public Service Commission Request for Information

Thank you for the opportunity to provide comments on Application No. C-5461/PI-244. We feel that it is important to collaborate and partner with telecommunications & internet service providers throughout our service territory for the betterment of our state for years to come. We would like to add our comments on minimum speed requirements, basis for competitive prices, regional or statewide rates, current market rates, and served/unserved areas.

Under the second paragraph on Statutory Requirements, we would like to have the Commission address the minimum speed requirements for served and unserved locations. The current speeds of 25/3 Mbps for served and unserved locations is outdated for what businesses and individual customers in Nebraska need to run computer applications across the Internet. If agencies and political subdivisions of the state are going to lease dark fiber to qualified entities for the purposes of expanding broadband to less served or underserved areas of Nebraska, then we recommend increasing minimum speeds 100/100 Mbps so Nebraskans are presented with a workable Internet solution. Those numbers are the same as were used in the State's broadband study.

1. Basis for Competitive Pricing

What market rate information is available which the Commission might consult? Are there other sources of information which should be considered?

The Commission has available a present market rate contract between Nebraska Public Power District (NPPD) and Great Plains (formerly Pinpoint) that was derived through studies and information completed by NPPD and the Commission in 2011. This contract is still in place today. The NPPD/Great Plains present contract is set with a market rate of \$425 per mile per fiber per year.

Nebraska Public Power District also has quotes to lease dark fiber from a certified telecommunications common carrier and a permitted telecommunications contract carrier. The range on the quotes for dark fiber is \$475 from the certified carrier to \$295 from a permitted carrier (the permitted carrier price was a 10-year agreement, a one-year price would have been approximately \$1380 per fiber). This information is provided to show that certified telecommunications common carriers, a permitted telecommunications contract carrier, or an internet service provider are sources of dark fiber leases that should be considered when searching for information on market rate for dark fiber leasing.

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### 2. Regional or Statewide Rates

Safe harbor rates should be set on a Statewide basis. Statewide rates would make for easy calculation of the rate and would be the most manageable. Statewide rates would also be the fairest rate for fiber investments that have been completed. Regional rates would not take into account the value of fiber investments statewide and would be complicated by dark fiber leases that span multiple regions. Another question to be answered would be: who would set up the regions and what would be the justification for each region?

### 3. Current Market Rates

Current Market Rates should be reassessed every 5 years. Companies wanting to lease dark fiber want a 5-to-10-year lease to pay for the investment they make on equipment needed to light the dark fiber for use. They also want to know what the cost will be during that term for financial stability and investment purposes.

### 4. Served/Unserved Areas

Determination of served and unserved locations should include criteria based on the number of companies serving a particular area at 100/100 Mbps or greater. One or less companies in an area would be unserved. Served locations would have two or more as a minimum. . These numbers are consistent with the speeds required in Speed Test Certifications necessary as part of the Nebraska Broadband Bridge Program that started in 2021. Companies leasing fiber should be required to show the areas they will be serving with the dark fiber they lease. Due to the security of fiber systems for operational use, exact mapping or shapefiles of fiber locations must not be required.

We want to do anything we can to support getting broadband services to all Nebraskans. We believe the above-mentioned changes to the dark fiber guidelines would allow us to work better with members of the Telecommunications and Internet Service Provider industries for mutual benefit. Broadband connectivity is no longer a need, but a necessity that we all recognize. We appreciate the opportunity to provide comments on this Application.

Submitted By:

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