

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. C-5484
Public Service Commission, on)
its own motion, to administer) ORDER MODIFYING PROCEDURAL
the Nebraska Broadband Bridge) SCHEDULE
Program in the 2023 program)
year.) Entered: June 13, 2023

BY THE HEARING OFFICER:

O P I N I O N A N D F I N D I N G S

The Nebraska Public Service Commission ("Commission") initiated this proceeding on its own motion to administer the 2023 program year of the Nebraska Broadband Bridge Program ("NBBP").

On May 16, 2023 the Commission entered an order in this Docket, which, among other things, set the NBBP 2023 Procedural Schedule, including a deadline of Monday, June 26, 2023, for the submission of funding applications ("May 16 Order"). As noted in the May 16 Order, the June 26th date was selected, in part, to address concerns expressed by commenters that the submission of applications around the July 4 holiday could be problematic.

After the May 16 Order was issued, the Legislature adopted LB 683, which was signed by Governor Pillen on May 26, 2023. LB 683 includes an emergency clause and, therefore, is now in effect. Section 26 of LB 683 (to be codified at Neb. Rev. Stat. § 86-1304) has removed a former requirement that annual NBBP funding applications be submitted on or before July 1 for each fiscal year. In its place, the statute now provides for NBBP application deadlines to be established by the Commission, with publication of such deadlines to be made on the Commission's website.

In light of the forgoing, I find it to be in keeping with the purposes of the Nebraska Broadband Bridge Program, and in the interest of NBBP applicants, that the deadline to submit applications be extended from June 26, 2023 to July 11, 2023, with concomitant extensions to all subsequent dates on the NBBP 2023 Procedural Schedule. The revised procedural schedule is attached hereto as Attachment A.

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O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the revised procedural schedule and filing deadlines for the 2023 Nebraska Broadband Bridge Program be, and hereby is, adopted as Attachment A be adopted. All deadlines shall be at 5:00 p.m. Central Time unless otherwise noted, and will be strictly enforced.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 13th day of June, 2023.

NEBRASKA PUBLIC SERVICE COMMISSION

BY: 

Dan Watermeier
Hearing Officer

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Attachment A: Procedural Schedule

| <u>Event</u> | <u>Date</u> |
|--|---|
| Commission enters order setting out application and scoring criteria | Tuesday, May 16, 2023 |
| Application period begins Challenge forms released | Friday, June 16, 2023 |
| Deadline to submit applications | Tuesday, July 11, 2023 |
| Applications posted to Commission website | Friday, July 14, 2023 |
| Notices of intent to challenge due to Commission and to Applicant | Monday, August 7, 2023 |
| Challenges due | Friday, September 15, 2023 |
| Commission to notify applicants of: 1. defects that must be cured and of areas of overlap with other applications; 2. challenges received. Notices of Intent to Reclassify released | Thursday, September 21, 2023 |
| Deadline for applicants to: 1. supplement challenged applications; 2. supplement or modify application defects and/or revise areas of overlap with other applications. | Thursday, October 5, 2023 |
| Commission releases determinations as to credibility of partial challenges and as to reclassification of applications | Tuesday, November 7, 2023 |
| Deadline for applicants to submit modified applications in response to successful partial challenges | Tuesday, November 28, 2023 |
| Grant awards released; results of remaining challenges released | Tuesday, December 19, 2023 or Tuesday, January 9, 2024 |
| State of Nebraska W-9 and ACH enrollment form due from successful applicants | Monday, January 15, 2024 |