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**Nebraska Broadband Bridge Program
Applicant Response to Challenge**

NBBP Applicant: Glenwood Telecommunications, Inc.

NBBP Project Name: Fillmore County

Challenging Provider: Windstream Nebraska, Inc.

To: Nebraska Public Service Commission

The purpose of this letter is to provide a response to Windstream’s challenge of the Nebraska Broadband Bridge Program (“NBBP”) Application for Glenwood’s Fillmore County project. As explained below, the only area that remains in dispute is the jurisdictional boundaries of the village of Shickley.

As stated in its Application, Glenwood Telecommunications proposes to build fiber into rural areas of Fillmore County to provide broadband service to subscribers via fiber to the homes along the routes. These routes will also enhance Glenwood’s fixed wireless capacities and speed offerings eliminating wireless backhaul links, which will greatly benefit numerous residents whose sole access to broadband is via fixed wireless. It is both Glenwood’s and the Fillmore County Board of Commissioners’ vision to ultimately provide all rural homes access to FTTH. The Nebraska Broadband Bridge Program is the initial step in making this a reality.

Glenwood’s existing wireless facilities are located within cities and villages in the project footprint. Glenwood’s proposed fiber infrastructure is specifically designed to provide connectivity to the existing wireless towers. It is not Glenwood’s intent to use NBBP funds to provide fiber-based service to any location in any city or village, other than the small village of Shickley. This intent is declared clearly in Glenwood’s Application, which described the project location as “Rural areas in Fillmore County and the community of Shickley.”

Outside of Shickley, no cost of facilities to locations within any other city or village was included in the estimates and projections set forth in Glenwood’s Application. For example, no costs for fiber drops in cities and villages *other than Shickley* were included in the project cost projections or request for grant funding. Outside of Shickley, no location in any other city or village was included in the location counts set forth in the Application. In other words, other than the village of Shickley, the remainder of the Application is not in dispute.

The Commission’s challenge process was designed “to allow both the applicant and the challenging party to provide information and argument to support their respective positions.” (C-5272 Order, p. 15) The Commission’s NBBP Guide states that the Commission will “evaluate all

available information,” including that received by both the Applicant and Challenger. An application is to be approved unless the challenge “is found to be credible,” according to the Guide.

In its formal Challenge, Windstream alleges it is currently providing broadband services at the minimum 100/20 Mbps speed threshold to *all* serviceable locations within the challenged portion of the project area.

This, of course, is not the case. The project area comprises primarily rural Fillmore County. Even FCC Form 477 data shows that rural Fillmore County is unserved or underserved. The only incorporated community included in the project area is the village of Shickley, which has a population of 309, according to the 2020 United States Census.

A comparison of the information provided by Windstream with its Challenge and the information provided by Glenwood demonstrates that Windstream’s information is not credible with respect to broadband service in Shickley.

In an attempt to substantiate the FCC Form 477 information provided with its Challenge, Windstream submitted high-level information about customer counts and locations for purported services in Shickley. Windstream also submitted unsubstantiated generic engineering estimates of plant-reach and capability but provided no other basis to support the speeds it alleges to be providing in Shickley. The Nebraska Commission, together with the FCC, the NTIA, and the Nebraska Department of Economic Development, have all recognized the historical inaccuracies of FCC Form 477 data. Windstream makes no showing of fiber-to-the-home technologies, specific capabilities of electronics and other facilities, or any argument offered that might justify its challenge. Windstream is asking the Commission to trust and rely merely on its own bare assertions. Its claims are based on high-level projections and are hypothetical without foundation.

Glenwood, on the other hand, has submitted information obtained at the premises level from several locations in the village of Shickley that shows Windstream’s speeds do not meet the Commission’s broadband standards, let alone Windstream’s own assertions. Submitted along with the tests are customer statements indicating the speed tier to which the customer subscribes. The speed tests were performed over a platform offered and administered by [GEO Partners LLC](#), an established Minnesota-based geospatial consulting firm. The [Nebraska Regional Officials Council](#) (NROC), the statewide organization of all eight of Nebraska’s Economic Development Districts, recognizing the importance of collecting reliable information to Nebraska’s efforts to accelerate broadband deployment, engaged GEO Partners to help capture and analyze speed data from locations in the state. Ratepayers performed the test through <https://www.nebraskaspeedtest.org>.

For the above reasons, Windstream’s unsubstantiated claims that it is offering 100/20 speeds to all locations in the project footprint should be rejected because their evidence is not credible. Glenwood respectfully requests the Commission reject Windstream’s challenge and approve Glenwood’s Application so fiber-based broadband services will be available to all residents and

businesses in all areas of the project footprint. As demonstrated in the letters of support (see list below) submitted with the Application, area residents and businesses need broadband services and support the public-private project.

Letters of Support

The following letters of support were submitted either with the Application or are submitted with this Response:

Sen. Tom Brandt, District 32
Fillmore County Board of Supervisors
Brock Domeier, Chairman, Village of Shickley
Rex Pfeil, Superintendent, Shickley Public Schools
Paul Sheffield, Superintendent, Exeter-Milligan Public Schools
Eric Kamler, Mayor, City of Geneva
Josh Cumpston, Superintendent, Fillmore Central Public Schools
Chris Nichols, CEO, Fillmore County Hospital
Conley Frieden, Frieden Electric Company, Shickley
Amy Nelson
Gary J. Vavra

Attachments

Pursuant to Section 3.2 of the NBBP Guide, please find attached the following submitted in response to Windstream's formal Challenge and to supplement the Application:

- Shickley 2021 NBBP speed tests and statements
- Shickley speed Test Report
- GEO Partners web page
- NROC web page
- Additional letters of support