



Nebraska Broadband Bridge Program Challenge Form

Section I: Challenging Provider Details

1. Challenging provider entity name:	Hamilton Telephone Company
2. Name of person completing challenge form (first and last name):	Benjamin Dennis
3. Mailing address of challenging provider:	1006 12th Street
3a. Challenging provider city:	Aurora
3b. Challenging provider state:	Nebraska
3c. Challenging provider zip code:	68818
4. E-mail address of the person completing challenge form:	benjamin.dennis@hamiltontel.com
5. Phone number of the person completing challenge form:	(402)694-7290

Section II: Challenge Details

1. NBBP applicant against which the challenge is being brought:	Eagle Broadband Investments, LLC dba Vyve Broadband
2. NBBP project name in which the challenge is being brought:	Hordville Expansion

Section III: Challenge Type

<u>Type 1 Challenge</u> - The challenging provider currently provides a broadband network with access to the Internet at speeds equal to or greater than 100/20 Mbps to all serviceable locations within the challenged portion of the project area. (See below for required attachments.)	No
<u>Type 2 Challenge</u> – The challenging provider is currently constructing broadband infrastructure within the project area or provides a broadband service network with access to the Internet in or proximate to the project area and commits to complete construction to provide a minimum of 100/20 Mbps speeds to all serviceable locations within the challenged portion of the project area no later than 18 months after the date grants are awarded. (See below for required attachments.)	Yes

ATTACHMENTS (mark the boxes below for which documentation is attached):

NOTE: Please label attachments as follows: “[Challenger Name]_[Applicant Name]_[Project]_[Attachment Letter].” If it is necessary to submit multiple attachments under one attachment letter category, label the attachments to identify the separate attachments. Ex. “[Challenger Name]_[Applicant Name]_[Project]_[Attachment Letter]_1”, “[Challenger Name]_[Applicant Name]_[Project]_[Attachment Letter]_2”, etc.

Type 1 Challengers must attach the following to their challenge form:

- A polygon shapefile identifying the portion(s) of an application that the challenger currently serves with 100Mbps/20Mbps speeds along with all supporting files required to open the shapefile. (Attachment Letter: A)
- A point shapefile identifying locations served in the project area along with all supporting files required to open the shapefile A customer list of individuals subscribing to service located within the project area. (Attachment Letter: B)
- Speed test data as required in docket C-5368. (Attachment Letter: C)
- Evidence demonstrating that the speed thresholds (100/20 Mbps) are being advertised to customers within the challenged portion of the project area. (Attachment Letter: D)
- Evidence demonstrating that the requisite information is part of their most recent FCC Form 477 filing, or an attestation that it will be part of the earliest subsequent FCC Form 477 filing. (Attachment Letter: E)
- A disclosure of any locations in the proposed project area that are not capable of receiving service at 100/20 Mbps and, if less than 100/20 Mbps, what speeds are available. (Attachment Letter: F)
- A plant map showing existing facilities in relation to the proposed project area, including a description of the type of facilities (Copper, fiber, etc.). (Attachment Letter: G)

Type 2 Challengers must attach the following to their challenge form:

- A polygon shapefile identifying the portion(s) of an application that the challenger is currently constructing broadband infrastructure and/or the area they intend to build to at 100Mbps/20Mbps speeds within eighteen months. (Attachment Letter: H)
- A description of the project underway, including a timeline for what has been completed to date, and a construction timeline that indicates completion within the 18-month timetable. (Attachment Letter: I)
- A description which includes the identification of any 3rd party contractors, and evidence of costs incurred and/or work being initiated, including invoices or copies of purchase orders, local permits applied for and received, and locate request tickets. (Attachment Letter: J)
- A construction map showing facilities to be deployed in the project area. (Attachment Letter: K)

ATTESTATION: By signing this document, I attest under penalty of perjury that the information contained in this form and all supporting documents are true and accurate, and that I have undertaken due diligence to obtain knowledge regarding these claims. I agree to comply with all terms of the Nebraska Broadband Bridge Program, including the sharing of speed test data as required by the Protective Order in this matter, I agree to provide documentation to the Commission as required, including for Type 2 challenges, progress reports to the Commission every three months which demonstrate progress towards construction. I also acknowledge that if service is not provided to the project area within the required eighteen-month timeframe, the Commission will impose a civil penalty, and the challenging provider will be prohibited from submitting any applications or challenges within the Nebraska Broadband Bridge Program for the following two fiscal years.

John Nelson

08/26/2022

Printed Name of Officer or Agent

Date

President, Hamilton Telephone Company

Title of Officer or Agent

Signature of Officer or Agent

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