

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Application No. NUSF-108
Public Service Commission, on its)	Progression Order No. 4
own Motion, to make adjustments)	
to its high-cost distribution)	
mechanism and to make revisions)	
to its reporting requirements.)	

COMMENTS OF THE RURAL INDEPENDENT COMPANIES

I. INTRODUCTION.

The Nebraska Rural Independent Companies ("RIC")¹ submit these Comments in response to Progression Order No. 4 entered by the Nebraska Public Service Commission (the "Commission") in this docket on November 19, 2018 ("PO #4"). RIC appreciates the opportunity to provide these Comments and looks forward to continuing participation in this docket and other pending dockets regarding the Nebraska Universal Service Fund ("NUSF").

The focus of PO #4 is "to seek comment on a rate-of-return (ROR) carrier universal service fund (NUSF) mechanism for targeting broadband support to certain Federal Communications Commission (FCC) funded locations that will not otherwise be served with broadband even with the use of federal support."² Specifically, the Commission seeks comments on establishment of an NUSF mechanism to target NUSF High Cost Program support to the FCC Alternative Connect America Cost Model ("A-CAM") locations where federal support is capped at a level not sufficient to deploy broadband to 25/3 Mbps. In this regard the Commission states

¹ Arlington Telephone Company, Blair Telephone Company, Clarks Telecommunications Co., Consolidated Telephone Company, Consolidated Telco, Inc., Consolidated Telecom, Inc., The Curtis Telephone Company, Eastern Nebraska Telephone Company, Great Plains Communications, Inc., Hamilton Telephone Company, Hartington Telecommunications Co., Inc., Hershey Cooperative Telephone Company, Inc., The Nebraska Central Telephone Company, Northeast Nebraska Telephone Company, Rock County Telephone Company and Three River Telco.

² PO #4 at 1.

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that it “believes that additional support in these locations is necessary to incentivize broadband buildout that exceeds the minimum requirements put in place by the FCC, and meets the definition of broadband as defined by this Commission.”³

The following comments address the Commission’s foregoing statements and are intended to assist the Commission in formulating and implementing an NUSF mechanism to supplement federal A-CAM support consistent with the requirements of the Nebraska Telecommunications Universal Service Act (the “Act”) in order that broadband at speeds of 25/3 Mbps are accessible to Nebraska consumers located in all areas of Nebraska served by rate-of-return (“ROR”) carriers that have elected or may in the future elect to receive A-CAM support from the FCC.

II. RIC RESPONSES TO THE COMMISSION’S PROPOSAL AND QUESTIONS PRESENTED IN PO #4

A. RIC Responses to Commission’s Proposal to Provide Ongoing Support to Capped Locations for which Broadband has been Deployed and Reported to HUBB

1. Provision of NUSF support for capped locations⁴ should include both capital expense (“CapEx”) and operating expense (“OpEx”) support and should not be limited to only ongoing or OpEx support.

On page 2 of *PO #4*, the Commission states:

Accordingly, herein, the Commission solicits further comment on a proposal to provide ongoing support to capped locations where broadband has been deployed and reported in the HUBB. Allocations for ongoing support would be determined based on the amount of modeled cost remaining above the capped amount already received in support, and controlled for overall support available for high cost.

³ *Id.* at 3.

⁴ The Commission defines “capped locations” as “areas where a ROR carrier elected Alternative Connect America Model (A-CAM) support and *where support is not sufficient to deploy broadband to 25/3 Mbps.*” (emphasis added) *Id.* at 2. As used throughout these Comments, the terms “capped locations” will be based upon the foregoing Commission definition of those terms.

Although the above-quoted paragraph is not presented as a question, RIC provides the following comments in light of the fact that the Commission has solicited comments on this “proposal.”

In order that the Commission administers the NUSF High Cost Program consistent with the requirements of the Act, support for capped locations must include CapEx support since A-CAM support alone for capped locations is insufficient to construct broadband at 25/3 Mbps. This proposition is supported by Section 86-317 of the Act which sets forth the Act’s purpose. The section provides that:

The purpose of the Nebraska Telecommunications Universal Service Fund Act is to authorize the commission to establish a funding mechanism which *supplements federal universal service support mechanisms* and ensures that all Nebraskans, *without regard to their location*, have comparable accessibility to telecommunications services at affordable prices. (emphasis added)

Since federal A-CAM support for capped locations as defined by the Commission is “not sufficient to deploy broadband to 25/3 Mbps”,⁵ in order to fulfill the requirements of the Act as directed by the Legislature with the adoption of the Act 20 years ago and most recently affirmed with the passage of LB 994 by the 2018 Legislature,⁶ the NUSF High Cost Program is not only required to be administered by the Commission to *supplement* the federal A-CAM support mechanism, but further must be made available “without regard” to a Nebraska consumer being situated in a capped location. The Commission has recognized these statutory requirements and has stated in connection with its Strategic Plan “that its goal was to provide NUSF support for scalable broadband networks in a manner that *was coordinated with federal support*.”⁷

⁵ PO #4 at 2.

⁶ See RIC’s Response to Question 2 at 7-8 *infra* for further discussion of these statutory requirements.

⁷ *In the Matter of the Nebraska Public Service Commission, on its own motion, to consider revisions to the universal service fund contribution methodology*, Application No. NUSF-100/PI-

Therefore, RIC respectfully submits that it would be improper for the Commission to limit NUSF High Cost Program support to the provision of only “ongoing support to capped locations where broadband has been deployed and reported in the HUBB.”⁸ Without provision of CapEx support from the NUSF High Cost Program, customers in many of these capped locations *will not* receive broadband service of at least 25/3 Mbps, and thus, these customers will be subject to discriminatory treatment based solely on their physical location in violation of the Act as more fully discussed below.

The Commission is required to act in accordance with the Legislature’s above-quoted statement of the purpose of the Act – that NUSF support shall supplement federal support mechanisms in order that USF support will be sufficient⁹ and that all Nebraskans, without regard to their location, have comparable accessibility to services at affordable prices. As such, NUSF High Cost Program support must be provided for CapEx and OpEx costs in capped locations to supplement federal A-CAM support to ensure that customers in these locations receive broadband service at 25/3 Mbps.

193, Order and Order Seeking Further Comments and Setting Hearing, at 19 (Feb. 22, 2017) (“2-22-17 NUSF-100 Order”).

⁸ PO #4 at 2.

⁹ *Neb. Rev. Stat.* § 86-323(5) provides: “There should be specific, predictable, sufficient, and competitively neutral mechanisms to preserve and advance universal service. Funds for the support of high-cost service areas will be available only to the designated eligible telecommunications companies providing service to such areas. . . . The distribution of universal service funds should encourage the continued development and maintenance of telecommunications infrastructure. . . .” Since the Commission has determined that capped locations are those “*where support is not sufficient to deploy broadband to 25/3 Mbps*” (PO #4 at 2 (emphasis added)), Section 86-323(5) provides an independent statutory basis requiring provision of NUSF High Cost Program support for CapEx and OpEx that is needed for broadband deployment to reach the Commission’s 25/3 Mbps benchmark.

2. Additionally, provision of OpEx NUSF support should not be limited to only those capped locations that have been built out to 25/3 Mbps.

As RIC understands the Commission's proposal quoted above on page 2 of these Comments, subject to overall NUSF High Cost Program budget limitations, ongoing NUSF support would be provided to only those capped locations to which the carrier has deployed broadband to 25/3 Mbps and reported that deployment to the High Cost Universal Broadband ("HUBB") portal.¹⁰ While RIC supports the concept that on-going support must be made available to ROR carriers such as the RIC member companies, each of which is also a Nebraska Eligible Telecommunications Carrier ("NETC"), the provision of OpEx NUSF support, *should not* be limited to only those capped locations that have been built out to 25/3 Mbps for the reasons stated in Section II.A.1, *supra*.

In addition, the provision of voice services, including access to 911 emergency service, to all capped locations continues to be an obligation of ROR carriers electing A-CAM support that are also NETCs and carriers of last resort ("COLRs").¹¹ Thus, these NETCs continue to have the need to recover OpEx through NUSF High Cost Program support for the maintenance and operation of voice networks in all capped locations. As a result, public policy considerations as

¹⁰ If RIC's understanding of the Commission's proposal is correct, RIC acknowledges that the capped locations receiving NUSF High Cost Program support would receive OpEx and CapEx funding of costs associated with 25/3 Mbps broadband service during the 10-year term associated with the FCC's A-CAM program. As would be true under the Act as well as the FCC's A-CAM program, at the end of any given funding period, continuation of universal service funding for CapEx and OpEx – both by the FCC and the Commission – would need to be re-evaluated and determined.

¹¹ See generally Title 291, Chap. 10, Sec. 004, Nebraska Universal Service Fund Rules and Regulations, and specifically, Sec. 004.02D, Supported Services. The Supported Services that an NETC must provide include: Single party basic local exchange service with no per minute charges, dual tone multi-frequency signaling, a white page directory listing, access to directory assistance, equal access to interexchange services, emergency 911 services, access to operator services and toll blocking.

well as the need to recover costs of voice service incurred by these ROR NETCs, support the conclusion that all capped locations, including locations not yet built out to 25/3 Mbps broadband capability, served by A-CAM electing ROR carriers should receive ongoing support.

Provision of NUSF High Cost Program support for ongoing expenses in all capped locations that are not yet built out to 25/3 Mbps is entirely consistent with the Commission's second goal stated in its "Strategic Plan" for universal service to "preserve and advance affordable voice service" by "ensur[ing] that robust voice services continue to be offered to consumers at affordable rates."¹² This goal was reaffirmed by the Commission a year later when it stated that "[l]ikewise, we continue to recognize the continuing need to ensure that voice services are offered at affordable rates."¹³

B. With the foregoing concepts in mind, RIC provides its responses to the Commission's seven (7) specific questions found on page 3 of PO#4

Question 1. How should the Commission determine the amount of funding that should be made available for the identified capped locations?

Response: The Commission has concluded that the State Broadband Cost Model ("SBCM") should be used to determine the costs for building fiber-based broadband networks.¹⁴ RIC agrees. As such, and consistent with the legal, factual and public policy underpinnings noted above and the accountability framework outlined below, RIC respectfully submits that the amount of NUSF High Cost Program support to be made available to capped locations should be

¹² *In the Matter of the Nebraska Public Service Commission, on its own motion, to consider revisions to the universal service fund contribution methodology*, Application No. NUSF-100/PI-193, Order Seeking Further Comments, at 5 (April 5, 2016) ("4-5-16 NUSF-100 Order").

¹³ 2-22-17 NUSF-100 Order at 19.

¹⁴ *In the Matter of the Nebraska Public Service Commission, on its own Motion, seeking to make adjustments to its high-cost distribution mechanism and make revisions to its reporting requirements*, Application No. NUSF-108, Progression Order No. 3 Findings and Conclusions at 35-36 (Nov. 19, 2018 (the "11-19-18 NUSF-108 Order")).

calculated by subtracting A-CAM support provided to capped locations, which is in addition to the Commission's \$52.50 per month customer revenue benchmark, from the SBCM-determined costs to provide 25/3 Mbps speeds to such locations. Remaining costs for these capped locations – both CapEx and OpEx – would be funded by NUSF High Cost Program support, subject to budget limitations established by the Commission.

Question 2. Should the Commission limit the number of locations that would be able to receive support?¹⁵

Response: No. Provision of NUSF High Cost Program support for both CapEx and OpEx purposes for capped locations is necessary to fulfill the requirements of Nebraska law. Subject to budget limitations established by the Commission, the only additional funding limitation should be based on the ROR carrier's total SBCM costs less the A-CAM support amount made available to the carrier and the Commission's \$52.50 per month customer revenue benchmark.

In addition to RIC's discussion in Section II.A, *supra*, RIC notes that the Nebraska Legislature and prior Commission orders have clearly established that limiting the locations that are eligible to receive support from the NUSF High Cost Program is contrary to the interests of Nebraska consumers. The foregoing principle is most recently set forth by LB 994 adopted by the 2018 Nebraska Legislature, approved by the Governor and now codified as *Neb. Rev. Stat.* sec. 86-1101 which provides in pertinent part that:

It is the intent of the Legislature that broadband telecommunications service in rural areas of the state should be comparable in download and upload speed and price to urban areas in the state where possible *and that state resources should be utilized to ensure that the rural residents of the state should not be penalized*

¹⁵ In the Commission's formulation of this question as well as questions 6 and 7 below, reference is made to "locations". RIC believes and would understand that the Commission intends that these references should be read to mean "capped locations" as defined by the Commission in *PO #4* at 2 and presents its Comments based upon this understanding. *See also* pp. 2-5, *supra*.

simply because of their rural residence. It is further the intent of the Legislature that the residents of this state should have access to broadband telecommunications service at a minimum download speed of twenty-five megabits per second and a minimum upload speed of three megabits per second. (emphasis added)

Further, Section 86-323(3) of the Act provides:

Consumers in all regions of the state, including low-income consumers and those in rural and high-cost areas, should have access to telecommunications and information services, including interexchange services and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas; (emphasis added)

Also, Section 86-317 of the Act, which sets forth the purpose of the Act, further provides:

The purpose of the Nebraska Telecommunications Universal Service Fund Act is to authorize the commission to establish a funding mechanism which supplements federal universal service support mechanisms and *ensures that all Nebraskans, without regard to their location, have comparable accessibility to telecommunications services at affordable prices.* (emphasis added)

Moreover, the Commission has properly declared in its “Strategic Plan” that “an important goal of reform will be to support the *deployment of ubiquitous broadband availability throughout Nebraska*” as well as the “deployment of fiber-based networks *everywhere.*”¹⁶

Question 3. Are additional measures necessary to ensure that support is not duplicative?

Response: RIC respectfully submits that, as long as NUSF support is limited to the difference between the ROR carrier’s total SBCM costs and the amount of A-CAM support made available to the carrier plus the Commission’s \$52.50 per month customer revenue benchmark, coupled with the additional reporting obligations of an A-CAM-electing ROR carrier seeking NUSF High Cost Program support for capped locations described below, duplicative

¹⁶ 4-5-16 NUSF-100 Order at 5 (emphasis added).

recovery will not occur. As part of the operationalization of this concept, RIC agrees with the following conclusions of the Commission:

The Commission believes that the methods in place federally ensure that the locations reported to the HUBB accurately reflect where broadband has been deployed, and proposes to rely on the data reported to the FCC/USAC via the HUBB. The Commission believes that additional support in these locations is necessary to incentivize broadband buildout that exceeds the minimum requirements put in place by the FCC, and meets the definition of broadband as defined by this Commission.¹⁷

The RIC member companies do not seek NUSF High Cost Program support that is duplicative of federal USF support. To accomplish this objective, the following accountability measures are submitted with the intention and purpose that no NUSF High Cost Program support will be provided to any location that is fully funded by A-CAM or that has already been built out to 25/3 Mbps with A-CAM support. Further, these measures are intended to provide the Commission with all necessary information to track NUSF High Cost Program support used in partially funded or capped locations so as to assure the Commission that NUSF High Cost Program support provided for capped locations is used as intended by the Commission. In order to accomplish the foregoing commitments, RIC offers the following proposals.

During the term of the FCC A-CAM program:

1. For each ROR carrier, the Commission will publish a list of out-of-town Census Blocks that are eligible for NUSF High Cost Program support (the "NUSF Eligible Locations"). Based upon this list of NUSF Eligible Locations, each A-CAM-electing ROR carrier will submit to the Commission (a) a list of the FCC's A-CAM Census Blocks and locations within its service area that are capped locations, that is, partially funded by A-CAM, and (b) a list of the FCC's A-CAM Census Blocks and locations within its service area that are uncapped locations, that is, fully funded by A-CAM.
2. Each A-CAM electing ROR carrier will annually submit a written report to the Commission identifying on a basis consistent with HUBB reporting any capped location built out to 25/3 Mbps during the preceding calendar year.

¹⁷ PO #4 at 3.

3. In addition to the build out report described in item 2 above, the A-CAM-electing ROR carrier will submit documentation to the Commission sufficient to establish for the Commission and its Staff that the actual costs to accomplish the total reported 25/3 Mbps build outs of the capped locations during the prior year exceeded the total FCC A-CAM support and assumed customer revenues for such capped locations by an amount equal to the NUSF High Cost Program support provided for such locations.
4. For financial accounting reasons more fully explained below, RIC recommends that one-twelfth of the annual distribution amount of CapEx and OpEx NUSF High Cost Program support for each ROR carrier would be paid monthly, based upon SBCM costs, for use in capped locations, subject to true up based upon actual costs demonstrated through the documentation provided pursuant to item 3 above.
5. All reporting by an A-CAM-electing ROR carrier would be subject to audit by the Commission.

RIC's proposal as set forth in Item 5 above is based upon expert regulatory accounting advice relating to the financial statement treatment of cost reimbursements versus ongoing monthly support payments from the NUSF High Cost Program.¹⁸ As confirmed by the Affidavit of Dan Wiesen, CPA, attached to these Comments as Exhibit A, the Commission's characterization of support to be "broadband deployment support rather than grant support"¹⁹ is not sufficient to alter the Part 32 accounting treatment of such support as "aid to construction." Thus, as Mr. Wiesen notes in his Affidavit attached hereto:

According to Part 32 Rules, the FCC indicates very clearly that any reimbursements received by carriers to provide service to their customers should be credited against the cost of the construction. . . . If the Nebraska Public Service Commission ("Commission") requires the carriers to provide documentation of the construction projects for prior approval, and then

¹⁸ RIC raised its concerns with regard to the accounting treatment of NUSF support payments made on a reimbursement basis in prior comments filed in this docket. *See* RIC's Post-Hearing Comments of the Rural Independent Companies, Application No. NUSF-108 at 6 (Sept. 17, 2018).

¹⁹ *11-19-18 NUSF-108 Order* at 41.

reimburses the carriers for a portion or all of the project costs, the reimbursement should offset the cost of the construction and only the net cost would, under subsection (2) [of §32,2000] quoted above and in my professional opinion, be accounted as '[a]mounts of non-recurring reimbursements based on the cost of plant or equipment furnished in rendering service to a customer' and thus would appropriately 'be credited to the accounts charged with the cost of the plant or equipment.'

For the reasons set forth in Mr. Wiesen's Affidavit, RIC urges the Commission to provide both CapEx and OpEx support on an ongoing monthly payment basis subject to true-up after a project is completed, rather than as "broadband deployment support."

Question 4. What limits if any should be placed on the allocation of support?

Response: As stated in response to the Commission's preceding questions, it is RIC's position that (a) no NUSF High Cost Program support should be provided to a ROR carrier that is duplicative of federal USF support received by that ROR carrier; (b) federal USF, customer benchmark revenue and NUSF High Cost Program support provided for a capped location should not exceed the SBCM-determined costs to deploy 25/3 Mbps broadband to that location; and (c) the level of NUSF High Cost Program support to ROR carriers should be subject to budgetary constraints determined by the Commission which are equitably applied to all recipients of NUSF High Cost Program support.

Question 5. Should the Commission wait and see how the FCC resolves the requests for additional support?

Response: There is no need to "wait and see" regarding FCC action relating to pending requests for additional federal universal service support since the FCC took action with regard to such requests by legacy ROR carriers as well as by A-CAM-electing ROR carriers at its

December 12, 2018 public meeting. The FCC's action may be accessed at <https://docs.fcc.gov/public/attachments/FCC-18-176A1.pdf>.²⁰

RIC submits that the Commission should carefully consider the impacts of the FCC's December 12th action on the NUSF High Cost Program pertaining to all Nebraska ROR carriers. In this regard, the Commission should encourage each ROR carrier to carefully analyze the FCC's action in order to determine which of the federal USF elections offered by the FCC would appear to maximize receipt of federal USF support for the electing carrier provided that the carrier can meet resulting build-out requirements.

Question 6. Should the Commission account for federal support received for locations that were not built to?

Response: RIC believes that its proposals discussed above are responsive to this question. A ROR carrier that has elected, or may in the future elect A-CAM federal USF support, must comply with FCC-required build out obligations in order to receive and retain such support.²¹ In this regard, RIC notes that the total dollars received from A-CAM funding will need to be utilized by the recipient during the 10-year funding period for deploying, operating and maintaining broadband service to specific numbers of locations at specific performance levels required by the FCC.

Question 7. Should the Commission provide support to locations at levels that are commensurate with support provided to non-A-CAM areas statewide?

²⁰ See *In the Matter of Connect America Fund*, et al., WC Docket No. 10-90, et al., , Report and Order, Further Notice of Proposed Rulemaking, and Order on Reconsideration, FCC 18-176 (rel. Dec. 13, 2018) ("*December 12 Order*").

²¹ The current buildout requirements for A-CAM electing ROR carriers are found in the FCC's Rules. See 47 C.F.R. § 54.311. Based on the action taken at the FCC's December 12, 2018 meeting, the FCC included revisions to Section 54.311 in its order. See *December 12 Order*, Appendix A.

Response: Support available from the NUSF High Cost Program for capped locations should be calculated by subtracting A-CAM support provided to capped locations plus customer benchmark revenue from the SBCM-determined costs to provide 25/3 Mbps speeds to such locations.²² This approach is equitable to all ROR carriers and recognizes that the underlying costs may vary based on the Census Block and location being examined.

III. CONCLUSION

As stated above, the Rural Independent Companies appreciate the opportunity to provide these Comments to the Commission, and look forward to continued participation in this docket. In this regard, RIC recommends that as soon as reasonably possible the Commission should provide notice of and proceed with a public hearing regarding the issues presented in this *PO* #4. Further, to the extent that issues have been identified or arise in the future relative to implementation and administration of the NUSF High Cost Program in conjunction with the federal A-CAM program for partially funded or capped locations, RIC encourages the Commission to hold one or more workshops to address such issues.

²² See Comments in response to Question 1 *supra*.

Dated: December 18, 2018.

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CERTIFICATE OF SERVICE

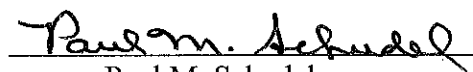
The undersigned hereby certifies that on this 18th day of December, 2018, an electronic copy of the foregoing pleading was delivered to:

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Other Commenting Parties


Paul M. Schudel

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Application No. NUSF-108
Public Service Commission, on its)	Progression Order No. 4
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AFFIDAVIT OF DANIEL J. WIESEN

My name is Daniel J. Wiesen. I make this affidavit in support of the Comments submitted by the Rural Independent Companies in connection with Progression Order No. 4 in the above-captioned docket. I consent to this Affidavit being made an exhibit to such Comments. I am over the age of 21, I have personal knowledge of the matters set forth below, I am competent to make this Affidavit, and I declare under penalty of perjury that the following is true and correct.

1. I am a partner in the accounting firm of Erickson & Brooks, Certified Public Accountants (the "Firm"). I received a Bachelor of Science degree in Accounting from Midland Lutheran College in 1980 and began my accounting career with the Firm in 1980, becoming a partner in the Firm in 2002. I am a member of the American Institute of Public Accountants and the Nebraska Society of Certified Public Accountants. I am the Firm's designated partner in the provision of professional services to the telecommunications industry.
2. Among the clients of my accounting firm are a number of rural local exchange carriers located in the State of Nebraska. In connection with the provision of accounting services to these clients, I routinely have occasion to provide advice and to perform accounting functions based upon regulatory accounting rules,

including but not limited to those found in Part 32 of the Federal Communications Commission (“FCC”) Rules.

3. According to my review of the Part 32 Rules, the FCC indicates very clearly that any reimbursements received by carriers to provide service to their customers should be credited against the cost of the construction. Part 32 reads in pertinent part as follows:

§32.2000 Instructions for telecommunications plant accounts.

Purpose of telecommunications plant accounts.

(1) The telecommunications plant accounts (2001 to 2007 inclusive) are designed to show the investment in the company's tangible and intangible telecommunications plant which ordinarily has a service life of more than one year, including such plant whether used by the company or others in providing telecommunications service.

(2) The telecommunications plant accounts shall not include the cost or other value of telecommunications plant contributed to the company. Contributions in the form of money or its equivalent toward the construction of telecommunications plant shall be credited to the accounts charged with the cost of such construction. Amounts of non-recurring reimbursements based on the cost of plant or equipment furnished in rendering service to a customer shall be credited to the accounts charged with the cost of the plant or equipment.

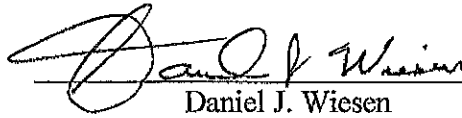
4. If the Nebraska Public Service Commission (“Commission”) requires the carriers to provide documentation of the construction projects for prior approval, and then reimburses the carriers for a portion or all of the project costs, the reimbursement would, under subsection (2) quoted above and in my professional opinion, be accounted as “[a]mounts of non-recurring reimbursements based on the cost of plant or equipment furnished in rendering service to a customer” and thus would

appropriately “be credited to the accounts charged with the cost of the plant or equipment.”

5. Thus, should the Commission partially or fully reimburse a carrier after that carrier’s plant construction expense is incurred, the reimbursement should reduce the amount of “the accounts charged with the cost of the plant or equipment” by the level of Commission reimbursement.”

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 17, 2018



Daniel J. Wiesen