

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska Public Service)
Commission, on Its Own Motion, Seeking to) Application No. NUSF-2
Establish Guidelines for the Administration of the) Progression Order No. 11
Nebraska Telephone Assistance Program)

COMMENTS OF CTIA

CTIA¹ hereby responds to the Nebraska Public Service Commission’s (“Commission’s”) October 2, 2016 Progression Order No. 11 (“Progression Order”).²

The Progression Order seeks comment on whether the Commission should provide support for broadband Internet access services (“BIAS”) through the Nebraska Telephone Assistance Program (“NTAP”).³ Specifically, it seeks comment on whether to apply the \$3.50 of additional state support available from the NTAP to bundles including voice and BIAS and/or standalone BIAS.⁴ The Progression Order also asks several other questions, virtually all of which are dependent upon an affirmative answer to the initial question of whether the Commission should support BIAS through the NTAP.⁵

The current NTAP statute does not provide the Commission with the authority to use NTAP funding for BIAS. The NTAP statute establishes that the NTAP’s purpose is “to promote the provision of universal service to low-income households,”⁶ and that “[s]upport provided by

¹ CTIA – The Wireless Association® (“CTIA”) (www.ctia.org) represents the U.S. wireless communications industry and the companies throughout the mobile ecosystem that enable Americans to lead a 21st century connected life. The association’s members include wireless carriers, device manufacturers, suppliers as well as apps and content companies. CTIA vigorously advocates at all levels of government for policies that foster continued wireless innovation and investment. The association also coordinates the industry’s voluntary best practices, hosts educational events that promote the wireless industry and co-produces the industry’s leading wireless tradeshow. CTIA was founded in 1984 and is based in Washington, D.C.

² *In the Matter of the Nebraska Public Service Commission, on Its Own Motion, Seeking to Establish Guidelines for the Administration of the Nebraska Telephone Assistance Program*, Application No. NUSF-2, Progression Order No. 11 (Oct. 12, 2016) (“Progression Order”).

³ *Id.* at 2.

⁴ *Id.* at 2.

⁵ *Id.* at 2-3.

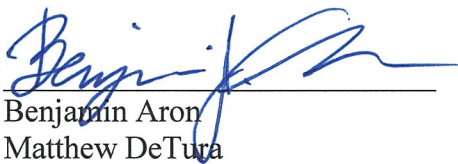
⁶ Neb. Rev. Stat. 86-329(1).

the program shall be specifically targeted to maintain affordable rates for residential *basic local exchange services*.”⁷ Nothing in the NTAP statute permits the Commission to fund any service other than voice service. As a result, the Commission cannot pursue lawfully its proposal to fund BIAS through the NTAP without legislative change.

Because CTIA’s response to the Progression Order’s threshold question renders moot any response to the remaining questions, CTIA declines to respond to the remaining questions.

CTIA does, however, reserve the right to respond to other parties’ responses to those questions.

Respectfully submitted,

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⁷ *Id.* (emphasis added).

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 8th, 2016, an electronic copy of the foregoing will be served electronically on the following:

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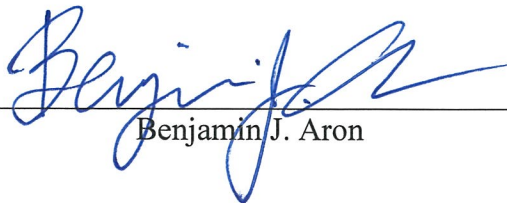
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