



BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska Public Service) Application No. NUSF-92
Commission, on its Own Motion, to Administer the) Progression Order No. 5
Nebraska Universal Service Fund Broadband)
Program.)

**COMMENTS OF THE
RURAL TELECOMMUNICATIONS COALITION OF NEBRASKA**

I. INTRODUCTION

The Rural Telecommunications Coalition of Nebraska (“RTCN”),¹ by and through its attorneys of record, hereby respectfully submits these comments to the Nebraska Public Service Commission (“Commission”) in response to the Commission’s October 27, 2015, Order Seeking Comments in Application No. NUSF-92, Progression Order No. 5.²

II. COMMENTS

With the stated intent to make support more targeted for consumers lacking wireless broadband service in Nebraska and to make support more predictable for carriers seeking support, the Commission proposes to again delineate between wireless and wireline broadband services under the Nebraska Universal Service Fund Broadband Program. In so doing, the Commission proposes to allocate \$4 million towards wireless broadband infrastructure projects similar to those projects supported in Commission docket NUSF-69

¹ For purposes of this docket, RTCN is made up of the following carriers: Arapahoe Telephone Company d/b/a ATC Communications, Benkelman Telephone Company, Inc., Cozad Telephone Company, Diller Telephone Company, Glenwood Network Services, Inc., Glenwood Telephone Membership Corporation, Hartman Telephone Exchanges, Inc., Hemingford Cooperative Telephone Co., Mainstay Communications, Plainview Telephone Company, Southeast Nebraska Communications, Inc., Wauneta Telephone Company, and WesTel Systems f/k/a Hooper Telephone Company.

² *In the Matter of the Nebraska Public Service Commission, on its Own Motion, to Administer the Nebraska Universal Service Fund Broadband Program*, Application No. NUSF-92, Progression Order No. 5, Order Seeking Comment (October 27, 2015) (“Order”).

and \$1 million for limited wireline broadband infrastructure projects in high cost rate-of-return carrier areas.

As a general matter, RTCN is concerned about the proposed allocation limit of \$1 million to wireline broadband infrastructure projects, particularly given the steady decline of overall funding to high cost areas of the state over the past decade. That decline has put a significant strain on the fulfillment of the state legislature's policy objectives of preserving and advancing universal service so that consumers in all regions of the state, including high-cost areas, can have access to 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.³

To the extent the Commission adopts its proposal to establish a \$1 million limit for wireline broadband infrastructure projects, RTCN urges the Commission to expand the service areas for which such projects may be funded. Under the current proposal, funding for wireline broadband infrastructure is limited to high cost rate-of-return carrier areas of the state. RTCN respectfully requests that the Commission continue to award funding for rate-of-return wireline projects in all unserved or underserved areas of the state, or to at least allow funding for rate-of-return wireline projects in high cost price cap areas that are excluded from Connect America Fund Phase II ("CAF II") funding or that are eligible for CAF II funding but for which the applicable price cap carrier chooses not to accept and use CAF II funding.

In addition, while in light of the Commission's Orders in NUSF-99 and in light of the absence of any reference to price cap carriers in this NUSF-92 Progression Order No. 5, it

³ See NEB.REV.STAT. § 86-323.

may be assumed that the Commission is proposing to eliminate price cap carriers from eligibility under the NUSF Broadband Program, the Commission's Order is silent in this regard. If the Commission chooses to adopt some or all of its proposals, RTCN requests that in so doing the Commission clarify that price cap carriers are no longer eligible for funding under the NUSF Broadband Program.

As it relates to the issue of how the project areas should be considered by the Commission while no longer having updates to the broadband mapping data, RTCN does not oppose the Commission utilizing the National Broadband Map, which is the aggregation of broadband availability data derived from Form 477 submissions, so long as the Commission only utilizes such map as a starting point for its evaluation and does not give undue weight to such map in light of its proven limitations and in some cases inaccuracies. Using the National Broadband Map only as a starting place, the Commission should retain the coverage challenge process that it has utilized in the NUSF-92 proceedings to date. Lastly, RTCN supports retaining the current per project cap.

III. CONCLUSION

In conclusion, RTCN requests that the Commission consider allocating more than \$1 million to rate-of-return carriers and remove from its proposal the service area limitation for rate-of-return wireline broadband infrastructure projects. RTCN further requests that the Commission clarify that price cap carriers are no longer eligible for funding under the Broadband Program. RTCN appreciates the opportunity to contribute to this proceeding and hereby respectfully submits its comments hereinabove.

Dated this 20th day of November, 2015.

RURAL TELECOMMUNICATIONS
COALITION OF NEBRASKA ("RTCN")

Arapahoe Telephone Company d/b/a ATC
Communications,
Benkelman Telephone Company, Inc.,
Cozad Telephone Company,
Diller Telephone Company,
Glenwood Network Services, Inc.,
Glenwood Telephone Membership Corporation,
Hartman Telephone Exchanges, Inc.,
Hemingford Cooperative Telephone Co.,
Mainstay Communications,
Plainview Telephone Company,
Southeast Nebraska Communications, Inc.,
Wauneta Telephone Company, and
Westel Systems f/k/a Hooper Telephone
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that an original and one copy of the foregoing Comments of the Rural Telecommunications Coalition of Nebraska were filed with the Public Service Commission on November 20, 2015, and a copy was sent via electronic mail on November 20, 2015, addressed as shown below, to the following:

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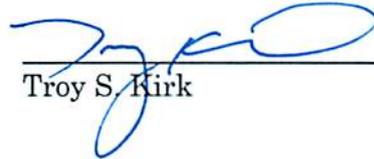
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