

# NEBRASKA

## PUBLIC SERVICE COMMISSION

COMMISSIONERS:  
ROD JOHNSON  
CRYSTAL RHOADES  
MARY RIDDER  
TIM SCHRAM  
DAN WATERMEIER



March 12, 2019

TO ALL INTERESTED PARTIES:

RE: RULE AND REGULATION #202: In the Matter of the Commission, on its own motion, seeking to establish Title 291, Chapter 16, to adopt Reverse Auction and Wireless Registry rules and regulations in accordance with Nebraska Legislative Bill 994 [2018].

### CERTIFICATION

I, Michael G. Hybl, Executive Director of the Nebraska Public Service Commission, hereby certify that the enclosed is a true and correct copy of the original order made and entered in the proceeding docketed Rule and Regulation No. 202 on the 12<sup>th</sup> day of March, 2019. The original order is filed and recorded in the official records of the Commission.

Please direct any questions concerning this order to Shana Knutson, General Counsel, at 402-471-3101.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Nebraska Public Service Commission, Lincoln, Nebraska, this 12<sup>th</sup> day of March, 2019.

Sincerely,

Michael G. Hybl  
Executive Director



cc: Attached Service List (see reverse)  
Bess Boesiger, Secretary of State's Office, Room 2300, State Capitol  
Trinity Chappelle, Governor's Policy Research Office, Room 1319, State Capitol  
Mike Hilgers, Chairman, Executive Board, District #21, State Capitol (*Electronically Filed*)

Michael G. Hybl, Executive Director  
**Public Service Commission**

P.O. Box 94927  
300 The Atrium, 1200 N Street  
Lincoln, Nebraska 68509

OFFICE 402-471-3101 FAX 402-471-0254  
CONSUMER HOTLINE 800-526-0017

[psc.nebraska.gov](http://psc.nebraska.gov)

## RULE AND REG #202

### WIRELESS AND ILEC CARRIERS

Company Name	Contact Name	Address	City	State	Zip
Access Point, Inc.	Jason Brown	1100 Crescent Green Suite 109	Cary	NC	27518
ACN Communication Services LLC	Jeff Myers	7000 Progress Place	Concord	NC	28025
Action Communications, Inc.	Larry Couch	315 W 27th St	Scottsbluff	NE	69361
Affiliated Technology Solutions, LLC	Thomas Welsh	777 New Durham Rd.	Edison	NJ	08817
Airnex Communications, Inc.	Arnold Marasigan	121 W Lexington Dr	Glendale	CA	91203
Airus, Inc.	John McCluskey	840 S. Canal St. 7th Floor	Chicago	IL	60607
Alliant Technologies, LLC	Gary Finkel	360 Mount Kemble Ave.	Morristown	NJ	07960
ALLTEL Corporation	Deborah Kuhn	205 N. Michigan Ave. Suite 700	Chicago	IL	60601
American Messaging Services, LLC	Linda Parks	1720 Lakepointe Dr. Suite 100	Lewisville	TX	75057
AmeriVision Communications, Inc.	Tammy Ferber	2037 Laskin Rd.	Virginia Beach	VA	23454
ANPI, LLC	Joseph O'Hara	3243 Meadowbrook	Springfield	IL	62711
Arapahoe Telephone Company	John E. Koller	PO Box 300	Arapahoe	NE	68922
Arlington Telephone Company	Jane Sutherland	1638 Lincoln St. PO Box 400	Blair	NE	68008
AT&T Corporation	Cyndi Gallagher	161 Inverness Dr W Room 153D	Englewood	CO	80112
Atlantic Tele-Network, Inc.	Rohan Ranaraja	1001 Technology Dr Ste 202	Little Rock	AR	72223
Bandwidth.com, Inc.	Lisa Jill Freeman	900 Main Campus Dr Ste 500	Raleigh	NC	27606
Benkelman Telephone Company, Inc.	Randall J. Raile	PO Box 645	Benkelman	NE	69021
Big Red Communications, LLC	Douglas Powell	4875 SW 112th St.	Denton	NE	68339
Blair Telephone Company	Jane Sutherland	1638 Lincoln St. PO Box 400	Blair	NE	68008-0400
Blue Jay Wireless, LLC	Angela Husney	4240 International Pkwy Ste 140	Carrollton	TX	75007
Bluestem Fiber, LLC	Gregory Dynek	PO Box 83697	Lincoln	NE	68501
Board of Regents of the University of Nebraska	Nell Wineman	332 Canfield Administration Bldg.	Lincoln	NE	68588-0203
Boomerang Wireless, LLC	Lori Aller	955 Kacena Rd. Suite A	Hiawatha	IA	52233
Broadband Dynamics, LLC	Kim Havins	8757 E Via De Commercio Fl 1	Scottsdale	AZ	85258
Broadsmart Global, Inc.	Tina Tecce	PO Box 6785	West Palm Beach	FL	33404
Brookings Municipal Utilities	Laura Julius	525 Western Ave Po Box 588	Brookings	SD	57006
BullsEye Telecom, Inc.	David Bailey	25925 Telegraph Rd. Suite 210	Southfield	MI	48033
CallCatchers, Inc.	Gino Capozzi	5600 Avenida Encinas Ste 170	Carlsbad	CA	92008
CallShaper, LLC	Bob Wienholt	5009 Honeygo Center Dr Ste 205	Perry Hall	MD	21128
Cambridge Telephone Company	Tom Shoemaker	613 Patterson St Po Box G	Cambridge	NE	69022
Cause Based Commerce, Inc.	David Condit	8111 Cheviot Rd. Suite 201	Cincinnati	OH	45247
CenCom, Inc.	Alyssa Arens	110 E Elk Street	Jackson	NE	68743
Citizens Telecommunications Company of Nebraska	Scott Bohler	2378 Wilshire Blvd	Mound	MN	55364
Clarks Telecommunications Company	Patrick McElory	PO Box 70	Jackson	NE	68743
Comcast OTR1, LLC	Waren Fitting	200 Cresson Blvd.	Phoenixville	PA	19460
Comm-Core, LLC	Carissa Frame	3820 S Dixie Highway	Lima	OH	45806
Comtech 21, LLC	Laura Matosian	One Barnes Park South	Wallingford	CT	06492
Consolidated Telco, Inc.	Wendy Thompson Fast	PO Box 6147	Lincoln	NE	68506

Contact List

Consolidated Telecom, Inc.	Wendy Thompson Fast	PO Box 6147	Lincoln	NE	68506
Consolidated Telephone Company	Wendy Thompson Fast	PO Box 6147	Lincoln	NE	68506
Consumer Cellular, Inc.	Jill Leonetti	12447 Sw 69th Ave	Portland	OR	97223
Convergia, Inc.	Ariel Che	237 Hymus Blvd.	Pointe-Claire	Quebec	H9R5C7
Covoda Communications, Inc.	Mark Suto	1005 W Indiantown Rd. Suite 201	Jupiter	FL	33458
Cozad Telephone Company	Dreu Young	122 E. 7th St.	Cozad	NE	69130
Cricket Wireless, LLC	Cyndi Gallagher	161 Inverness Dr W Room 153D	Englewood	CO	80112
CSG Interactive Messaging, Inc.	Bruce Kruger	18020 Burt St.	Elkhorn	NE	68022
Curtis Telephone Company	Wendy Thompson Fast	PO Box 6147	Lincoln	NE	68506
Dalton Telephone Company, Inc.	Cindy Neugebauer	60 Beckwith Dr. PO Box 19817	Colorado City	CO	81019
Dialpad, Inc.	Steve LaCommare	100 California St. Suite 300	San Francisco	CA	94111
Digium Cloud Services, LLC	Mark Badger	1100 Circle 75 Pkwy Suite 975	Atlanta	GA	30339
Diller Telephone Company	Loren Duerksen	PO Box 218	Diller	NE	68342
DSCI, LLC	Tracy Wolford	1 Sundial Ave. Suite 414	Manchester	NH	03103
Dynalink Communications, Inc.	Mendel Birnbaum	927 Mcdonald Ave	Brooklyn	NY	11218
Eagle Communications, Inc.	Kara Denton	2703 Hall St. Suite 15	Hays	KS	67601
Eastern Nebraska Telephone Company	Jane Sutherland	PO Box 400	Blair	NE	68008-0400
Elsie Communications, Inc.	Cindy Neugebauer	60 Beckwith Dr. PO Box 19848	Colorado City	CO	81019
Enhanced Communications Group, LLC	Carla Turner	PO Box 936	Bartlesville	OK	74005
Enhanced Communications Network, Inc.	Thomas J. Haluskey	1031 S Glendova Ave.	West Covina	CA	91790
Estech Systems, Inc.	Karen Boyd	3701 E Plano Pkwy Ste 100	Plano	TX	75074
Flash Wireless, LLC	Jeff Meyers	1000 Progress Place NE	Concord	NC	28028
France Telecom Corporate Solutions, LLC	Joe Topel	13775 McLearn Rd., MS 1100	Oak Hill	VA	20171-3212
Future Technologies	Aaron Clark	206 S 13th St Suite 601	Lincoln	NE	68508
Glenwood Network Services, Inc.	Carol Lemke	PO Box 354	Blue Hill	NE	68930
Glenwood Telephone Membership Corporation	Carol Lemke	PO Box 97	Blue Hill	NE	68930
Global Connection Inc. of America	Jenn Carter	5555 Oakbrook Pkwy. Suite 620	Norcross	GA	30093
Globalstar USA, LLC	Peter Correia	300 Holiday Square Blvd	Covington	LA	70433
GoDaddy.com, LLC	Gino Capozzi	5600 Avenida Encinas Suite 170	Carlsbad	CA	92008
Gogo, LLC	Donna Cahill	111 N Canal St. Suite 1500	Chicago	IL	60606
Google North America, Inc.	Nannan Zhong	1600 Amphitheatre Pkwy.	Mountain View	CA	94043
Granite Telecommunications, LLC	Geoff Cookman	100 Newport Ave. Ext 1	Quincy	MA	02171-1734
Great Plains Broadband, LLC	Rodney Thiemann	1600 Great Plains Center	Blair	NE	68008
Great Plains Communications, LLC	Rodney Thiemann	1600 Great Plains Center PO Box 500	Blair	NE	68008
GreatCall, Inc.	Brian Aman	10935 Vista Sorrento Pkwy. Suite 200	San Diego	CA	92130-8698
Hamilton Telephone Company	John Nelson	1006 12th St.	Aurora	NE	68818
Hartington Telecommunications Co., Inc.	Mike Becker	103 W Centre St. PO Box 157	Hartington	NE	68739
Hartman Telephone Exchanges, Inc.	Randall Raile	PO Box 645	Benkelman	NE	69021
Haug Communications, Inc.	Matthew Haug	622 Neptune Dr.	Seneca	KS	66538
HH Ventures, LLC	Lori Aller	955 Kacena Rd. Suite A	Hiawatha	IA	52233
Hooper Telephone Company	Robert M. Gannon	PO Box 330	Remsen	IA	51050-0330
HunTel CableVision, Inc.	Jane Sutherland	PO Box 400	Blair	NE	68008
IDT America, Corp	Carl Billek	520 Broad St. 4th Floor	Newark	NJ	07102

Contact List

Ignition Wireless, LLC	Jeremy Sands	5400 Carillon Point	Kirkland	WA	98033
IM Telecom, LLC	Paul LaPier	13601 Preston Rd Suite 816E	Dallas	TX	75240
inContact, Inc.	Kimm Partridge	75 W. Town Ridge Pkwy. Tower 1	Sandy	UT	84070-5522
i-Wireless, LLC	Victoria Williams	1 Levee Way Suite 3116	Newport	KY	41071
K & M Telephone Company, Inc.	Thomas Magnuson	101 S. Victoria St. PO Box 187	Chambers	NE	68725
KDDI America, Inc.	Peter Kuan	825 3rd Ave Fl 3	New York	NY	10022
Konatel, Inc.	Paul LaPier	13601 Preston Rd Suite 816E	Dallas	TX	75240
Lunar Labs, Inc.	Allan Rothfeder	3434 Russell St Ste 406	Detroit	MI	48207
Lycamobile USA, Inc.	Roberta Kraus	24 Commerce St. Suite 100	Newark	NJ	07102
Mainstay Technologies	Matt Friesen	PO Box 487	Henderson	NE	68371-0487
Matrix Telecom, LLC	Alex Valencia	433 E Las Colinas Blvd. Suite 500	Irving	TX	75039
McCookNet, Inc.	Walter B. Hampton	Po Box 1014	Mccook	NE	69001
MCI Communications Services, Inc.	Missie Burris	5055 North Point Parkway	Alpharetta	GA	30022
MetroPCS Michigan, LLC	William Haas	12920 Se 38th St	Bellevue	WA	98006
Mitel Cloud Services, Inc.	Jon Brinton	1146 N. Alma School Rd.	Mesa	AZ	85201-3000
Mobius Communications Company	Tonya Mayer	PO Box 246	Hemingford	NE	69348
NE Colorado Cellular, Inc.	Michael Felicissimo	1224 W Platte Ave	Fort Morgan	CO	80701
Nebraska Central Telephone Company	Andrew Jader	Po Box 700	Gibbon	NE	68840
New Cingular Wireless PCS, LLC	Cyndi Gallagher	161 Inverness Dr W Room 153D	Englewood	CO	80112
Nextiva, Inc.	David Clark	8800 E. Chaparral Rd. Suite 300	Scottsdale	AZ	85250
Northeast Nebraska Telephone Company	Pat McElroy	PO Box 66	Jackson	NE	68743
NOS Communications, Inc.	Jessica Renneker	250 Pilot Rd. Suite 300	Las Vegas	NV	89119
NOSVA Limited Partnership	Jessica Renneker	250 Pilot Rd. Suite 300	Las Vegas	NV	89119
Novega Venture Partners		23 Main St	Holmdel	NJ	07733
Omaha Cellular Telephone Company	Deborah Kuhn	205 N. Michigan Ave. Suite 700	Chicago	IL	60601
OnStar, LLC	Henna Mirza	300 Renaissance Ctr. MC: 482-C14-C66	Detroit	MI	48265-3000
Onvoy Spectrum, LLC	Mary Buley	10300 6th Ave. N.	Plymouth	MN	55441
Ooma, Inc.	Matt Dean	525 Almanor Ave Ste 200	Sunnyvale	CA	94085
OPEX Communications, Inc.	Mark Leafstedt	3777 Long Beach Blvd. Suite 400	Long Beach	CA	90807
Patriot Mobile, LLC	Glenn Story	2271 E Continental Blvd Ste 120	Southlake	TX	76092
Pierce Telephone Company, Inc.	William Fogle	112 S. 5th St. PO Box 113	Pierce	NE	68767-0113
Pioneer Telephone, Inc.	Kevin Photiades	39 Darling Ave.	S. Portland	ME	04106
Plainview Telephone Company, Inc.	Grant Dummer	112 S. Main St. PO Box 117	Plainview	NE	68769
Plintron Technologies USA, LLC	Richard Pelly	11811 Ne 1st St Ste A-201	Bellevue	WA	98005
PNG Telecommunications, Inc.	Craig Piecuch	8805 Governors Hill Dr Suite 250	Cincinnati	OH	45249
Precision Technology, Inc.	Dan Spray	123 N. 4th St.	Norfolk	NE	68701
Puretalk Holdings, LLC	Kelly Jesel	4113 Monticello St.	Covington	GA	30014
Q Link Wireless, LLC	Issa Asad	499 East Sheridan St. Suite 400	Dania	FL	33004
Qwest Corporation	Ann Prockish	1201 Farnam St # 5	Omaha	NE	68102
Ready Wireless, LLC	Lori Aller	955 Kacena Rd Ste A	Hiawatha	IA	52233
Rock County Telephone Company	Jane Sutherland	PO Box 400	Blair	NE	68008
ROK Mobile Inc.	Jonathan Kendrick	8500 Steller Dr Ste 3	Culver City	CA	90232
Sage Telecom Communications, LLC	David Wilder	1149 S. Hill St. Suite H-400	Los Angeles	CA	90015

Contact List

Selectel, Inc.	Matt O'Flaherty	1825 N. Bell St.	Fremont	NE	68025
SI Wireless, LLC	Jason Narrell	1418 Kensington Square Ct Bldg B	Murfreesboro	TN	37130
Sioux City MSA, LP	Deborah Kuhn	205 N. Michigan Ave. Suite 700	Chicago	IL	60601
Skywave Wireless, Inc.	Ryan Kuester	121 South Main PO Box 253	West Point	NE	68788
South Dakota Network LLC	Nancy Johnson	2900 W. 10th St.	Sioux Falls	SD	57104
Southeast Nebraska Communications, Inc.	Ray Joy	110 W. 17th St.	Falls City	NE	68355
Spectrotel, Inc.	David Zahka	3535 State Hwy 66 Suite 7	Neptune	NJ	07753
Spectrum Mobile, LLC	Betty Sanders	12405 Powerscourt Dr.	St. Louis	MO	63131
Sprint Spectrum LP	Diane C. Browning, Reg Affairs	6450 Sprint Pkwy MS: KSOPHN0312-3A703	Overland Park	KS	66251
Stanton Telecom, Inc.	Robert J. Paden	PO Box 716	Stanton	NE	68779
Syndeo, LLC	Matt Dean	9221 Corbin Ave Ste 260	Northridge	CA	91324
T C Telephone, LLC	Travis Graff	508 Main St Ste A	Red Bluff	CA	96080
Telebeep, Inc.	Tom Schommer	2404 Taylor Ave. Suite 100	Norfolk	NE	68701
Telefonica USA, Inc.	Joanna Romano	1111 Brickell Ave Ste 1000	Miami	FL	33131
Telrite Corporation	Jim Carpenter	11100 Alcovy Rd	Covington	GA	30014
Tempo Telecom LLC		320 Interstate North Pkwy Se	Atlanta	GA	30339
Terracom, Inc.	David Tatum	933 E Britton Rd	Oklahoma City	OK	73114
Three River Telco	Steven Dorf	PO Box 66	Lynch	NE	68746
Time Warner Cable Business, LLC	Betty Sanders	12405 Powerscourt Dr.	St. Louis	MO	63131
Ting, Inc.	Christina Meyering	96 Mowat Ave.	Toronto	Ontario	M6K-3M1
T-Mobile Central LLC	William Haas	Po Box 10076	Cedar Rapids	IA	52410
Toly Digital Networks, Inc.	Mark Suto	1005 W Indiantown Rd.	Jupiter	FL	33458
TracFone Wireless, Inc.	Chesley Dillon	9700 NW 112th Ave.	Miami	FL	33178
Truphone, Inc.	James Wild	4819 Emperor Blvd Ste 400	Durham	NC	27703
United States Cellular Corporation	Stephanie Cassioppi	8410 W. Bryn Mawr Ave. Suite 700	Chicago	IL	60631
United States Cellular Operating Co of Greater Iowa	Stephanie Cassioppi	8410 W Bryn Mawr Ave Ste 700	Chicago	IL	60631
United Telephone Company of the West	Ann Prockish	1201 Farnam St # 5	Omaha	NE	68102
USCOC of Nebraska/Kansas LLC	Stephanie Cassioppi	8410 W. Bryn Mawr Ave. Suite 700	Chicago	IL	60631
UVNV, Inc.	Gary Grinham	1550 Scenic Ave Ste 100	Costa Mesa	CA	92626
Velocity The Greatest Phone Co Ever, Inc.	William Werner	7130 Spring Meadows Dr. W.	Holland	OH	43528
Virgin Mobile USA LP	Diane C. Browning, Reg Affairs	6450 Sprint Pkwy KSOPHN0314-3A703	Overland Park	KS	66251
Visible Service LLC	David Mahida	1 Verizon Way	Basking Ridge	NJ	07920
Vodafone US Inc.	Bryan Ganno	2420 17th St Ste 4039	Denver	CO	80202
Wauneta Telephone Company	Randall Raile	PO Box 645	Benkelman	NE	69021
Windstream Nebraska, Inc.	Stephen Meradith	4001 N. Rodney Parham Rd.	Little Rock	AR	72212
Wing Tel, Inc.	Jonathon Francis	123 Washington St Apt 51b	New York	NY	10006
Wireless Internet of Nebraska	Brian Ziems	53555 - 865 Rd.	Plainview	NE	68769
Working Assets Funding Service, Inc.	Jean Parker	101 Market St. Suite 700	San Francisco	CA	94105
Zen Communications, LLC	Ian McBride	305 W. Magnolia Suite 333	Ft. Collins	CO	80521
Ztar Mobile, Inc.	David Wilkie	325 North St. Paul St. Suite 3450	Dallas	TX	75201
Zultys, Inc.	David Termondt	785 Lucerne Dr.	Sunnyvale	CA	94085

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,	)	Rule and Regulation No. 202
on its own motion, seeking to	)	
establish Title 291, Chapter 16,	)	ORDER OPENING DOCKET,
to adopt Reverse Auction and	)	RELEASING PROPOSED RULES,
Wireless Registry rules and	)	SEEKING COMMENT, AND SETTING
regulations in accordance with	)	HEARING
Nebraska Legislative Bill 994	)	
[2018].	)	Entered: March 12, 2019

BY THE COMMISSION:

O P I N I O N   A N D   F I N D I N G S

The Commission, on its own motion, hereby opens this proceeding to adopt Reverse Auction and Wireless Registry rules and regulations in Title 291, Chapter 16, in accordance with Legislative Bill 994 [2018]. The Commission proposes to amend Title 291, by adding Reverse Auction and Wireless Registry Rules and Regulations as seen in the attached Appendix A, incorporated herein by this reference.

Comments on the proposed amendments shall be filed by interested parties on or before **3:00 p.m., Thursday, April 18, 2019**. Parties filing comments should file one (1) original and five (5) paper copies and one (1) electronic copy emailed to [john.monroe@nebraska.gov](mailto:john.monroe@nebraska.gov) and [cullen.robbins@nebraska.gov](mailto:cullen.robbins@nebraska.gov).

The Commission finds that this matter should be set for hearing on **Tuesday, May 7, 2019 at 1:30 p.m.**, in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that this rulemaking amending Title 291, Chapter 16, Reverse Auction and Wireless Registry Rules and Regulations, be and it is hereby opened.

IT IS FURTHER ORDERED that interested parties file comments on or before **Thursday, April 18, 2019**. Parties filing comments should file one (1) original and five (5) paper copies and one (1) electronic copy emailed to [john.monroe@nebraska.gov](mailto:john.monroe@nebraska.gov) and [cullen.robbins@nebraska.gov](mailto:cullen.robbins@nebraska.gov).

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

RULE AND REGULATION NO. 202

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IT IS FURTHER ORDERED that this matter be set for hearing on, **Tuesday, May 7, 2019, 1:30 p.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 12<sup>st</sup> day of March, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Crystal Swadlow*

*John Swadlow*

*Don Williams*

*Tim Schram*

*Mary Ridd*

Chair

ATTEST:

*Michael H. Ze*

Executive Director

EFFECTIVE DATE:

TITLE 291 – NEBRASKA PUBLIC SERVICE COMMISSION

CHAPTER 16 – REVERSE AUCTION AND WIRELESS REGISTRY RULES AND REGULATIONS

001. SCOPE, DEFINITIONS, AND STATE CODE.

001.01 SCOPE AND APPLICATION: The scope and applicability of these rules and regulations is described in Neb. Rev. Stat. § 86-330.

001.02 DEFINITIONS: The terms and definitions in Neb. Rev. Stat. § 86-330 are hereby incorporated into this chapter. Such terms not specifically identified in statute are defined below.

001.03 WITHHOLDING OF NEBRASKA UNIVERSAL SERVICE FUND SUPPORT.

001.03(A) Consistent with Neb. Rev. Stat. § 86-330, the Commission may decide to withhold Nebraska Universal Service Fund Support from an eligible telecommunications carrier on a census block or telephone exchange basis which may have been otherwise deemed eligible in the following cases:

001.03(A)(i) Upon receipt of a consumer complaint consistent with § 86-330 where the Commission finds the availability, quality, or affordability of broadband telecommunications service is lacking; or

001.03(A)(ii) Based on a finding that an eligible telecommunications carrier has not provided broadband in a manner consistent with Neb. Rev. Stat. § 86-1101; or

001.03(A)(iii) Based on a finding that an eligible telecommunications carrier has not used Nebraska Universal Service Fund support for its intended purpose; or

001.03(A)(iv) Based on a finding made pursuant to Neb. Rev. Stat. § 86-324.

001.03(B) Prior to withholding support, the Commission will cause written notice to be sent to the carrier and provide the carrier with an opportunity for a hearing.

001.04 REVERSE AUCTIONS.

001.04(A) Pursuant to Neb. Rev. Stat. § 86-330, the Commission may determine areas eligible to receive Nebraska Universal Service Fund support through a reverse auction process.

001.04(B) Areas eligible for reverse auction support will be determined by the Commission. Such information will be released in an order and public notice. The Commission will provide a specific timeframe for application submittal and award announcement through an open proceeding.

001.04(C) An Applicant participating in a reverse auction must include the following information:



001.04(C)(i) A description of the applicant's corporate structure and ownership information;

001.04(C)(ii) Evidence that the applicant is financially and technically qualified to meet the public interest obligations for each relevant area for which it seeks support;

001.04(C)(iii) Evidence of its status as an eligible telecommunications carrier;

001.04(C)(iv) An indication of the tier of bids that the applicant plans to make;

001.04(C)(v) A description of the technology or technologies that will be used to provide service for each tier of bid;

001.04(C)(vi) Any information required to establish eligibility for any bidding weights adopted by the Commission in an order or public notice;

001.04(C)(vii) To the extent that an applicant plans to use spectrum to offer its voice and broadband services, demonstrate it has the proper authorizations, if applicable, and access to operate on the spectrum it intends to use, and that the spectrum resources will be sufficient to cover peak network usage and deliver the minimum performance requirements to serve all of the fixed locations in eligible areas, and certify that it will retain its access to the spectrum for at least 10 years from the date of the funding authorization; and

001.04(C)(viii) Specified operational and financial information including:

001.04(C)(viii)(1) A certification that the applicant has provided a voice and/or broadband service for at least two years or that it is a wholly-owned subsidiary of such an entity, and specifying the number of years the applicant or its parent company has been operating, and submit the financial statements from the prior fiscal year that are audited by a certified public accountant. If the applicant is not audited in the ordinary course of business, in lieu of submitting audited financial statements it must certify that it will provide financial statements from the prior fiscal year that are audited by a certified independent public accountant by a specified deadline during the review process.

001.04(C)(viii)(1)(a) If the applicant has provided a voice and/or broadband service it must certify that it has filed FCC Form 477s as required during this time period.

001.04(C)(viii)(1)(b) If the applicant has operated in other states, evidence that the applicant is in good standing in those states.

001.04(C)(viii)(2) If an applicant cannot meet the requirements in section 001.04(C)(viii)(1) above, in the alternative it must submit the audited financial statements from the three most recent fiscal years.

001.04(D) APPLICATION BY WINNING BIDDERS FOR SUPPORT.

001.04(D)(i) DEADLINE. As provided by a Commission order or notice, winning bidders for reverse auction support shall file an application for reverse auction support

no later than the number of business days specified after the public notice identifying them as winning bidders.

001.04(D)(ii) CONTENTS. An application for auction support must contain:

001.04(D)(ii)(1) Identification of the party seeking the support, including ownership information;

001.04(D)(ii)(2) Certification that the applicant is financially and technically qualified to meet the public interest obligations for each tier in which it is a winning bidder and in each area for which it seeks support;

001.04(D)(ii)(3) Certification that the applicant will meet the relevant public interest obligations for each relevant tier, including the requirement that it will offer service at rates that are equal or lower to the Commission's reasonable comparability benchmarks for fixed wireline services offered in urban areas;

001.04(D)(ii)(4) A description of the technology and system design the applicant intends to use to deliver voice and broadband service, including a network diagram which must be certified by a professional engineer. The professional engineer must certify that the network is capable of delivering voice and broadband service to every location within the auction area that meets the requisite performance requirements;

001.04(D)(ii)(5) Certification that the applicant will have available funds for all project costs that exceed the amount of support to be received from the auction for the first two years of its support term and that the applicant will comply with all program requirements, including service milestones;

001.04(D)(ii)(6) A description of how the required construction will be funded, including financial projections that demonstrate the applicant can cover the necessary debt service payments over the life of the loan, if any;

001.04(D)(ii)(7) Certification that the party submitting the application is authorized to do so on behalf of the applicant; and

001.04(D)(ii)(8) Such additional information as the Commission may require.

001.04(E) APPLICATION PROCESSING.

001.04(E)(i) No application will be considered unless it has been submitted in an acceptable form during the period specified by public notice. No applications submitted or demonstrations made at any other time shall be accepted or considered.

001.04(E)(ii) Any application that, as of the submission deadline, either does not identify the applicant seeking support as specified in the public notice announcing application procedures or does not include required certifications will be denied.

001.04(E)(iii) An applicant may be afforded an opportunity to make minor modifications to amend its application or correct defects noted by the applicant, the Commission, or other parties. Minor modifications include correcting typographical

errors in the application and supplying non-material information that was inadvertently omitted or was not available at the time the application was submitted.

001.04(E)(iv) Applications to which major modifications are made after the deadline for submitting applications will be denied. Major modifications include, but are not limited to, any changes in the ownership of the applicant that constitute an assignment or change of control, or the identity of the applicant, or the certifications required in the application.

001.04(E)(v) After receipt of all necessary information, a public notice will identify each winning bidder that is authorized to receive auction support.

001.04(F) FULL AND TIMELY PERFORMANCE. Authorization to receive auction support is conditioned upon full and timely performance of all of the requirements set forth in this section, and any additional terms and conditions upon which the support was granted.

001.04(F)(i) Failure by an auction support recipient to meet its service milestones will trigger reporting obligations and the withholding of support. Failure to come into full compliance within 12 months will trigger a recovery action. If the recipient does not repay the requisite amount of support within six months, the Commission will be entitled to seek recovery through any means available to the state for recovery of a debt to the state and may disqualify the auction support recipient from the receipt of auction support or additional universal service support.

001.04(F)(ii) The default will be evidenced by a letter issued by the Department Director or their respective designees.

#### 001.05 WIRELESS REGISTRY.

001.05(A) The Commission will maintain a wireless registry to be used for the purpose specified in Neb. Rev. Stat. § 86-579.

001.05(B) The Commission will make available on its website or through paper filing a repository for any person or company to file information indicating a lack of appropriate coverage as defined in Neb. Rev. Stat. 86-579 section 5(3). The form will include the following information:

001.05(B)(i) The name of the person filing the informal complaint

001.05(B)(ii) The name of the wireless carrier, if applicable;

001.05(B)(iii) The address or locations where service was at issue;

001.05(B)(iv) A description of the services purchased and equipment used by the complainant; and

001.05(B)(v) The relevant date or dates for which wireless service coverage was lacking.

001.05(C) The wireless provider may challenge this information by providing evidence of adequate coverage in the relevant location(s).

001.05(D) The Commission may further investigate to determine the existence of or the lack of adequate coverage. In doing so, the Commission may utilize other publicly available data and crowd-sourced data to determine the reliability of the information provided for purposes of the registry.