

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE REQUEST OF )</b>	<b>ORDER GRANTING WAIVER</b>
<b>NORTHEAST NEBRASKA TELEPHONE )</b>	<b>AND CERTIFICATION</b>
<b>COMPANY FOR CERTIFICATION REGARDING ITS )</b>	
<b>USE OF FEDERAL UNIVERSAL SERVICE )</b>	<b>TC13-091</b>
<b>SUPPORT )</b>	

On June 28, 2013, the Public Utilities Commission (Commission) received a filing from Northeast Nebraska Telephone Company (Company) requesting certification regarding its use of federal universal service support. The Company is also requesting the Commission grant a waiver of the Commission's eligible telecommunications carrier (ETC) filing requirements pursuant to ARSD 20:10:32:56, on grounds that the reporting requirements in support of ETC certification are unduly burdensome and unnecessary. The purpose of this filing was to provide information constituting the Company's plan for the use of its federal universal service support and to otherwise verify that the Company will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. § 254. Pursuant to 47 C.F.R. § 54.314(a), in order for an ETC to receive support pursuant to the Federal Communications Commission's (FCC's) high-cost program, a state must file an annual certification with the Universal Service Administrative Company (USAC) and the FCC stating that all federal high-cost support provided to the ETC "was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended." On July 18 and 24, 2013, the Company responded to Staff's data requests.

On July 5, 2013, the Commission electronically transmitted notice of the filing and the intervention deadline of July 19, 2013, to interested individuals and entities. No parties sought intervention. On October 21, 2013, the Company filed a copy of its FCC Form 481 with the Commission.

At its regularly scheduled meeting of November 5, 2013, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and 47 U.S.C. § 254. The Commission unanimously voted to grant a one-year waiver pursuant to ARSD Section 20:10:32:56, finding that compliance with the certification requirements is unduly burdensome and unnecessary. The Commission also unanimously voted to approve the Company's request for certification. The Commission finds that the Company is eligible to receive federal support. The Commission finds that all federal high-cost support provided to the Company was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. It is therefore

**ORDERED**, that a one year waiver pursuant to ARSD Section 20:10:32:56 is hereby granted. It is further

**ORDERED**, that the Company is eligible to receive federal support as all federal high-cost support provided to the Company was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. It is further

ORDERED, that the Commission approves the Company's request for certification.

Dated at Pierre, South Dakota, this 8<sup>th</sup> day of November, 2013.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically

By:

Date:

Joy Jastley  
11/08.13

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson

GARY HANSON, Chairman

Chris Nelson

CHRIS NELSON, Commissioner

Kristie Fiegen

KRISTIE FIEGEN, Commissioner