

July 12, 2022

The Honorable Pete Ricketts,
Governor of Nebraska
Office of the Governor
PO Box 94848
Lincoln, NE 68509-4848

RE: NTIA Funding for Broadband in Nebraska

Dear Governor Ricketts:

Thank you for your leadership in recognizing the critical need for broadband to ensure the long-term growth of our state. The Nebraska Broadband Bridge Program has proven successful. Bridge funding awarded last year is being used to construct infrastructure that will provide service to more than 12,600 locations across the state. Thanks to improvements by the Legislature and the Public Service Commission, thirty-nine more applications were filed for 2022 and nearly \$75 million funding has been requested – well more than twice as much as last year. As you know, the total available funding for 2022 is just over \$20 million.

Given the unprecedented potential benefits from substantial federal funding under the Infrastructure Investment and Jobs Act, which will soon be available, urgent action must be taken by the State, private broadband providers, and other private and public partners to plan and prepare for best leveraging and utilizing the incoming funding. As willing partners, the undersigned pledge to cooperate to facilitate the deployment of broadband infrastructure as swiftly and as efficiently as possible.

Outlined below are ideas we offer for consideration by your office, the Chief Information Office, the Department of Economic Development, and the Public Service Commission, in determining how to ensure that federal funding is sensibly utilized to provide broadband service to all Nebraskans.

Principles

The basic principles that underly our ideas are:

- Serve the Unserved and Underserved
- Efficiency in construction
- Affordable services
- Communication & collaboration
- Utilization of public-private partnerships
- Long-term sustainability
- Necessary redundancy
- Long-term accountability

Ideas for Consideration

Broadband Equity & Development (BEAD) Program

We applaud your decision to submit a letter of intent to participate in the BEAD program, which could and should be transformational to rural Nebraska. The State should aggressively pursue as much funding as possible. We believe the following steps are immediately critical to successfully leverage BEAD funds:

- Submit request for Initial Planning Funds by August 15, 2022.
- Establish a Broadband Office.
 - Required by BEAD program.
 - Can/should be a number of state agencies working per an interagency agreement.
 - Will be critical to success of Middle Mile program in Nebraska (see below).
- Direct the PSC, DED and CIO to work openly and collaboratively with one another with a proper system of checks and balances to ensure that broadband deployment is strategic, cost-effective and that recipients of funding are accountable for their use of public funds.
- Broadband Coordinator.
 - In 2020, the Legislature enacted LB992, establishing the position of the Broadband Coordinator within the office of the CIO. Funding for the position has never been authorized and the position remains unfilled.
 - The law, now codified at Section 86-331(2)(b), calls upon the Broadband Coordinator to encourage stakeholder discussion led by counties and regions.
 - The section identifies key “**Stakeholders**”:
 - “Businesses and industries, community foundations, local governments, local or regional economic development organizations, schools, colleges, other educational entities, public libraries, health care institutions, financial institutions, telecommunications providers, public power districts, electric cooperatives, nonprofit organizations, and other interested entities.”
 - Utilizing BEAD Initial Planning Funds, fund and fill the Broadband Coordinator position, as well as bring on necessary additional staff and/or contracted professionals.
 - Broadband Coordinator should lead efforts with CIO, Governor, DED, PSC, and Stakeholders to develop the State’s Five-Year Action Plan required under BEAD program.
 - Strategically act and advocate to reduce federal, state, and local regulations, laws, guidelines, and other restrictions that impede broadband deployment.
- Public Service Commission.
 - Utilizing BEAD Initial Planning funds, fund and employ or contract for necessary services:
 - Engineering.
 - Geographical Information System (GIS) mapping expertise.
 - Grant writing & administration.
 - Accountability.

State Digital Equity Planning Grant Program

We also applaud your decision to apply for Digital Equity funding. As with BEAD, we encourage the State to work with Stakeholders, including the undersigned and representatives of communities where poverty rates are high.

Enabling Middle Mile Infrastructure Program

Applications for the Middle Mile program are due September 30, and may essentially be filed by anyone, including the State. Applicants may seek between \$5 million and \$100 million for a project. We encourage consideration of the following:

- The State itself has not historically built broadband/communications infrastructure.
 - Consistent with this past practice, rather than itself applying for Middle Mile funding, the State should immediately utilize BEAD Initial Planning Funds to enable the Broadband Coordinator to:
 - Facilitate innovative collaboration both within the Broadband Office and, pursuant to Section 86-331(2)(b), and with Stakeholders to develop strategic plans to construct Middle Mile infrastructure expeditiously and cost-effectively where it is most needed in Nebraska.
 - Ensure all requirements of the Middle Mile program are complied with and program is administered efficiently and cost-effectively.
 - Strategically act and advocate to reduce federal, state, and local regulations, laws, guidelines, and other restrictions that impede Middle Mile construction. Many of the signatories below are working with national affiliates to encourage sensible regulation at the federal level.
 - Properly oversee publicly funded Middle Mile construction.

In closing, it is our position that coordination and open communications are critical to ensure that BEAD, Middle Mile, Bridge, and all other federal, state, and local support complement one another to greatest extent possible to serve the public need and to avoid unnecessary duplication. Broadband is critical to growing Nebraska, especially rural areas of our state. Time is of the essence. To position the State to make a compelling request for Initial Planning Funds by the August 15, 2022, deadline, and to begin the arduous work of planning, we look forward to your prompt response. We are eager to work together with you and others to make the most of an opportunity we will not have again.

Respectfully,

Nebraska Farm Bureau
Nebraska Pork Producers Association
Farmers Union of Nebraska
Center for Rural Affairs
Southeast Nebraska Development District
Nebraska Association of County Officials
League of Nebraska Municipalities
Nebraska Public Power District
Nebraska Rural Electric Association
Arapahoe Telephone Company d/b/a ATC Communications

Benkelman Telephone Company, Inc.
Cambridge Telephone Company/Pinpoint Holdings Inc.
Cozad Telephone Company
Diller Telephone Company/Diode Communications
Glenwood Telecommunications, Inc.
Hartman Telephone Exchanges, Inc.
Hemingford Cooperative Telephone Company /Mobius Communications
Hooper Telephone Company/WesTel Systems
Mainstay Communications
Midstates Data Transport LLC
Plainview Telephone Company
Southeast Nebraska Communications, Inc.
Stanton Telephone Company/Town & Country Technologies
Pierce Telephone Company
Vistabeam Internet
Wauneta Telephone Company

cc: Chief Information Officer, Ed Toner
Department of Economic Development, Director, Tony Goins
Nebraska Public Service Commission, Chair, Dan Watermeier