

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 722**

Introduced by Bostelman, 23.

Read first time January 18, 2023

Committee:

- 1 A BILL FOR AN ACT relating to broadband funding; to provide authority for
- 2 the Public Service Commission to make determinations before certain
- 3 funds for construction of broadband or other telecommunications
- 4 infrastructure are awarded.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. When any state agency or political subdivision awards,  
2 grants, or redirects funds for the construction of broadband or other  
3 telecommunications infrastructure to a competing local exchange carrier  
4 or a competing broadband Internet service provider in an area served by  
5 an incumbent local exchange carrier under the Nebraska Telecommunications  
6 Universal Service Fund Act, under the Nebraska Broadband Bridge Act,  
7 under section 81-12,245, or from assistance received pursuant to 47  
8 U.S.C. 1702, as such section existed on January 1, 2023, the Public  
9 Service Commission shall have the authority to make the following  
10 determinations before any award, grant, or redirection of such funds is  
11 made:

12           (1) The smooth transition of services to ratepayers and customers;

13           (2) Undepreciated investment in existing infrastructure owned by the  
14 incumbent local exchange carrier that is capable of providing broadband  
15 services at speeds of one hundred megabits per second or greater for  
16 downloading and twenty megabits per second or greater for uploading;

17           (3) Transfer of federal and state eligible telecommunications  
18 carrier designations and responsibilities, including carrier of last  
19 resort obligations, and corresponding support from the Nebraska  
20 Telecommunications Universal Service Fund; and

21           (4) Whether rural ratepayers and customers in the service area and  
22 nearby service areas are receiving broadband services.