

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. C-3206
on its own motion, to administer)
the Nebraska Internet Enhancement) ORDER GRANTING EXTENSION
Fund.)
) Entered: February 22, 2006

BY THE COMMISSION:

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

On January 11, 2005, the Nebraska Public Service Commission (Commission) awarded Nebraska Internet Enhancement Fund (NIEF) grants to, among others, Nemaha County. Nemaha County has enlisted jagWIRELESS to install and deliver advanced telecommunications infrastructure and service pursuant to the NIEF Grant Agreement.

Section 3.0 of the NIEF Grant Agreement states that the project shall be completed within 12 months of the order awarding the grant, unless a request for extension is granted. On February 3, 2006, jagWIRELESS, acting on behalf of Nemaha County submitted a request for a ninety (90) day extension from the date of their request.

jagWIRELESS filed a Notice of Commencement with the Commission on June 29, 2005, which included an estimated date of completion of September 28, 2005. Pursuant to the Amended Grant Agreement, upon receipt of the Notice of Commencement, the Commission authorized accelerated payout of funds to jagWIRELESS on July 6, 2005. jagWIRELESS states that upon receipt of the funds, they immediately ordered equipment. However, they encountered significant delays receiving the necessary equipment due to hurricanes and high demand. They encountered further delays with the onset of winter weather in constructing the tower sites. Currently, jayWIRELESS has two remaining tower sites to build out of the eight tower locations requiring equipment under the project. The issues delaying the project have been resolved and local advertising has begun. jagWIRELESS anticipates having the two remaining tower sites built within the next thirty (30) to sixty (60) days. Further they expect to reach their anticipated subscriber count in the next ninety (90) days.

The Commission finds that it should grant the extension. The Commission further requires that Nemaha County or its representative timely submit the required reports pursuant to

the Grant Agreement regarding completion of the project. Failure to timely submit the required reports, could result in loss of NIEF funds.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request for extension by jagWIRELESS for the Nemaha County NIEF Grant Agreement be, and is hereby, granted.

MADE AND ENTERED at Lincoln, Nebraska, this 22nd day of February, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director