BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund.	)))))	Application No. C-3206 ORDER GRANTING EXTENSION Entered: January 26, 2010

BY THE COMMISSION:

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

On March 10, 2009, the Nebraska Public Service Commission (Commission) awarded Nebraska Internet Enhancement Fund (NIEF) grants to, among others, the Village of Elsie. The Village of Elsie has partnered with Vistabeam 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 January 19, 2010, Vistabeam, acting on behalf of the Village of Elsie, submitted a request for an extension until May 31, 2010.

Vistabeam states that it has encountered some significant delays due to issues procuring two of the three towers necessary for the project, one tower was procured immediately upon the rewarding of the grant. Further, the severe winter weather experienced in the area last fall and this winter season has made tower construction and other work almost impossible. Also, the severe winter weather caused unexpected maintenance and repair situations for Vistabeam's existing customers causing delays in the project. Currently, Vistabeam is in final negotiations regarding the remaining two towers necessary for the project. Once the contracts are finalized and if weather conditions permit, Vistabeam anticipates beginning work on the project February 1, 2010. Vistabeam plans to have all work completed on the project and service available to the residents and businesses in the Elsie and Madrid area by May 31, 2010.

The Commission finds that it should grant the extension. The Commission further requires that the Village of Elsie 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.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request for extension by Vistabeam for the Village of Elsie NIEF Grant be, and is hereby, granted.

MADE AND ENTERED at Lincoln, Nebraska, this 26th day of January, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

//s// Frank E. Landis
//s// Gerald L. Vap

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