

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2020-21		FY 2021-22	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 996 adds a new section to the Nebraska Telecommunications Regulation Act.

Section 2 creates the Broadband Data Improvement Program which is to be administered by the Public Service Commission (PSC). The purpose of the program is to:

- Complement the granular broadband availability data provided to the Federal Communications Commission (FCC) or the Universal Service Administrative Company;
- Leverage the FCC’s Digital Opportunity Data Collection; and,
- Encourage Nebraskans to participate in crowdsourcing efforts

Under the provisions of LB 996, the PSC may:

1. Participate in the FCC’s Digital Opportunity Data Collection;
2. Develop a state-based broadband data crowdsource program in absence of a federal program;
3. Develop a statewide outreach plan to promote citizen participation in a state or federal broadband data crowdsource program;
4. Allocate resources to areas of the state where public feedback, crowdsourcing, or other evidence suggests that the federal broadband data may be inaccurate;
5. Prioritize data improvement in rural areas; and,
6. Adhere to any guidelines established by the FCC.

The PSC is unable to determine any cost estimates associated with LB 996. This is due to the fact that the Federal Broadband Data Improvement Program has not yet been developed. When this occurs and costs become known, the PSC will have the opportunity to request adjustments to their budget through the normal budget request process and/or the budget adjustment process (deficit).

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 996	AM:	AGENCY/POLT. SUB: Nebraska Public Service Commission	
REVIEWED BY: Lucas Martin	DATE: 1/30/2020	PHONE: (402) 471-4181	
COMMENTS: Concur with the Public Service Commission’s assessment of unknown fiscal impact at this time.			

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2020

LB⁽¹⁾ 996

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Public Service Commission

Prepared by: ⁽³⁾ Suzanne Hinzman Date Prepared: ⁽⁴⁾ 01/28/2020 Phone: ⁽⁵⁾ 402-471-0240

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2020-21</u>		<u>FY 2021-22</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>Unknown</u>	<u></u>	<u>Unknown</u>	<u></u>
CASH FUNDS	<u>Unknown</u>	<u></u>	<u>Unknown</u>	<u></u>
FEDERAL FUNDS	<u></u>	<u></u>	<u></u>	<u></u>
OTHER FUNDS	<u></u>	<u></u>	<u></u>	<u></u>
TOTAL FUNDS	<u>Unknown</u>	<u></u>	<u>Unknown</u>	<u></u>

Explanation of Estimate:

The fiscal impact of LB996, including any general fund or cash fund impact, cannot be determined at this time as the federal Broadband Data Improvement Program has not yet been developed. That federal program will help define what, if any, expenses attributable to LB996 would qualify as an appropriate use of NUSF funds.

LB 996 would provide the Commission with the authority to assist the Federal Communications Commission (FCC) in collecting and validating accurate data under the Broadband Data Improvement Program. The legislation would allow the Commission, in the absence of a federal program to crowdsource broadband data, to develop a state-based broadband data crowdsource program. The Commission may also develop a statewide outreach plan to promote citizen participation and allocate resources to provide public feedback and crowdsourcing where the FCC's data may be inaccurate.

At this point, while the FCC has announced its plan to collect new information under the Broadband Data Improvement Program, the details of this Program, including the portal for the data collection process and crowdsourcing components, have not yet been developed. Specific questions about the development of technical standards for fixed broadband reporting, use of crowdsourcing, incorporating location information, and collecting mobile coverage data are under consideration. Comments on those issues were filed with the FCC in October. However, no final FCC decision has been issued. Because the Commission does not yet know what the FCC's broadband data is going to look like, and because the process for providing public feedback has not been developed, we are unable estimate what the potential fiscal impact to the Commission would be.

We also note that in addition to the FCC, both the United States House of Representatives, and the Senate have passed legislation requiring the FCC to issue rules relating to the collection of broadband data (H.R. 4229 and S. 1822, respectively). This federal legislation may have an impact on the scope and manner in which broadband data would be collected by the FCC and how public input could be provided.

Once the details of the FCC's Broadband Data Improvement Program are finalized, the Commission will be in a better position to estimate a fiscal impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			UNKNOWN	UNKNOWN