

Notice was duly published March 14, 2017 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on March 21, 2017 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chairman Tim Schram called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Mary Ridder, and Tim Schram present. Chairman Schram stated that a copy of the Nebraska Open Meetings Act is posted in the meeting room and invited the public to address the Commission. The Commission received public comment from former Commissioner Anne Boyle. She commented on events following the LB 410 hearing and negative public perceptions regarding the Commission. She stated that after she testified at the hearing on LB 410, she was filmed, followed in her car and was filmed again. At a party, she overheard conversations about how bad the Commission and Commissioners are. She stated that we need to work together to get things done. No announcements were made by the Chairman.

Attention was called to the following proceedings:

Tuesday, March 28, 2017:

10:00 Commission Hearing Room, Lincoln  
Commission Meeting

1:30 Commission Hearing Room, Lincoln  
C-4892 In the Matter of the Nebraska Public Service Commission, on its own Motion, to conduct an inquiry into failure of CenturyLink to comply with its September 20, 2016 Order and requiring it to Show Cause why the Commission should not impose administrative penalties. Commissioner Tim Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an order awarding a grant. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

C-4891 In the Matter of the Application of Jack Henry, Grand Island, seeking authority to receive advanced telecommunications service from the Phillips Exchange of Hamilton Telecommunications: Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-4894 In the Matter of the Application of Henderson Coop Telephone, Co. d/b/a Mainstay Communications, Henderson, seeking a waiver of the requirement of 291 NAC 5, §002.06 regarding public pay stations: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Cullen Robbins recommended to the Commission that a complaint be opened against Broadnet Teleservices, LLC. Motion made by Commissioner Frank Landis, seconded by Commissioner Mary Ridder, that a complaint be opened against Broadnet Teleservices, LLC. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Cullen Robbins discussed the seven proposed rate changes received by the Commission. All effective June 1, 2017 all moving residential rates from \$17.50 to \$19.95:

1. Hooper Telephone Company
  - a. Meeting April 1 (2 meetings) in Hooper
2. Pierce Telephone Company
  - a. Meeting April 18 in Pierce
3. Henderson Coop. Telephone Co. dba Mainstay
  - a. Meeting April 3 in Henderson
4. Southeast Nebraska Communications, Inc.
  - a. Meeting was March 16 in Falls City
5. Glenwood Telephone Membership Corporation
  - a. Meeting was March 7 in Blue Hill
6. Glenwood Network Services, Inc.
  - a. Meeting was March 8 in Lemoyne
7. ATC Communications
  - a. Meeting is April 26 in Arapahoe

NEBRASKA UNIVERSAL SERVICE FUND

NUSF-1 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Hamilton Telephone Company. Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve an adjustment to Hamilton's NUSF remittances from July, 2015 through October, 2016, due to incorrect system coding that resulted in the assessment of DSL or broadband/internet revenues, causing a variance of more than 10% from original reporting and netting a credit due to the company. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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NEBRASKA 911 DEPARTMENT

911-061/ In the Matter of the commission, on its own motion,  
PI-192 seeking to investigate and review funding, standards and  
policies relating to Geographic Information Systems data  
necessary for the provision of Next Generation 911 service. Motion  
made by Commissioner Rod Johnson, seconded by Commissioner Crystal  
Rhoades, to enter an Order opening the docket, seeking comments due  
April 20, 2017, at 3:00 p.m. and, scheduling a workshop on April 26,  
2017, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Motion  
passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder,  
Crystal Rhoades and Tim Schram voting AYE.

NATURAL GAS DEPARTMENT

NG-0090 In the Matter of Black Hills/Nebraska Gas Utility, LLC,  
d/b/a Black Hills Energy, Papillion, seeking approval of a  
Farm Tap Safety Proposal and Associated Tariff. Commissioner Rod  
Johnson presiding as Hearing Officer: Motion made by Commissioner Rod  
Johnson, seconded by Commissioner Frank Landis, to enter an Assessment  
Order BE-004. Motion passed with Commissioners Rod Johnson, Frank  
Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

LEGISLATIVE

Nichole Mulcahy reported that LB 459, LB 460 and LB 483  
were amended into LB 263, which was placed on General File; and that  
LB 209, LB 365 and LB 494 were placed on General File.

TRANSPORTATION DEPARTMENT

B-1402 In the Matter of the Application of Daniel W. and Susan L.  
Sindt d/b/a Kearney Cab Company, Kearney, seeking authority  
to change an existing company organization to Kearney Cab, LLC: Motion  
made by Commissioner Crystal Rhoades, seconded by Commissioner Frank  
Landis, to enter an order granting a change in the organization.  
Motion passed with Commissioners Rod Johnson, Frank Landis, Mary  
Ridder, Crystal Rhoades and Tim Schram voting AYE.

B-1869 In the Matter of Good Times Roll, Omaha, seeking to cancel  
its Certificate of Public Convenience and Necessity issued  
in Application No. B-1869: Motion made by Commissioner Crystal  
Rhoades, seconded by Commissioner Frank Landis, to enter an order  
cancelling the certificate. Motion passed with Commissioners Rod  
Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram  
voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

B-1941 In the Matter of Good Times Bus, Norfolk, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party and charter between all points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Motion made by Commissioner Frank Landis, seconded by Commissioner Mary Ridder, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

B-1945 In the Matter of Rapid Shuttle Service, LLC, Papillion, seeking to operate as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus and van to and from schools in the Omaha, Papillion, LaVista, Millard, Ralston, and Bellevue areas over regular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Frank Landis, to enter an order dismissing the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

BR-520/  
B-1745 In the Matter of WADD I, LLC d/b/a Wings of Love, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3; and

BR-521/  
B-1937 In the Matter of Papa G's, LLC, Columbus, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter orders granting the rates. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

BR-524/  
B-1933 In the Matter of Ride The Good Life, LLC, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3.;

BR-525/  
B-1941 In the Matter of Good Times Bus Company, Norfolk, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3; and

BR-526/  
B-1944 In the Matter of Good Times Limousine, Inc., Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter orders granting the rates on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

MR-1009/ In the Matter of the Nebraska Public Service Commission, on  
PI-70 its own motion, initiating and investigation on range  
uniformity in the Official Intracity Household Goods Tariff  
22, and to develop procedures for efficiently processing household  
goods mover tariff amendments. Motion made by Commissioner Mary  
Ridder, seconded by Commissioner Frank Landis, to enter an order  
setting a schedule and scheduling a hearing on May 23, 2017, at  
11:00a.m. in the Commission Hearing Room. Motion passed with  
Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades  
and Tim Schram voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GW-19 In the Matter of J. E. Meuret Grain Co., Inc., Brunswick,  
Nebraska..John Fecht reported on shortage of N GMO Beans  
and N GMO Corn.

GW-22 In the Matter of Ag Valley Coop., Edison, Nebraska, seeking  
cancellation of warehouse receipts: Motion made by  
Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to  
cancel warehouse receipts B692422 and B692423. Motion passed with  
Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades  
and Tim Schram voting AYE.

GW-537 In the Matter of Cooperative Supply, Inc., Dodge, Nebraska.  
John Fecht reported on shortage of Oats.

GW-1112 In the Matter of Osmond Farm Supply Center, Inc., Osmond,  
Nebraska. John Fecht reported on shortage of Corn.

GW-2187 In the Matter of Richardson Milling Inc., South Sioux City,  
Nebraska, requesting measure up: Motion made by  
Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to  
approve a measure up request. Motion passed with Commissioners Rod  
Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram  
voting AYE.

GENERAL ADMINISTRATION

Chairman Schram invited the public to address the  
Commission. No additional public comments were received.

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GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioner Crystal Rhoades present not voting.

State Auditor's Office	\$ 8,028.75
State Accounting-Central Finance-Personnel	884.29

Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Scott Elston to travel to and attend the Federal Railroad Administration (FRA) Biannual Training in Milwaukee, Wisconsin, from March 28 to March 31, 2017, with all expenses to be paid by the FRA. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to approve the recommendation for a motion to go into closed session to discuss personnel matters, the closed session being necessary for the protection of public interest or the prevention of needless injury to the reputation of an individual. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

The Chair restated that the purpose of the closed session is to discuss personnel matters. The closed session discussion will be so limited. The time was noted as: 10:39 a.m.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to approve the recommendation for a motion to return to open session: Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE. The time was noted as: 11:36 a.m.

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The meeting adjourned at 11:36 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Mary Ridder, and Tim Schram present. The next regularly scheduled meeting will be held on March 28, 2017 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on March 27, 2017.

  
Chairman

  
Executive Director