

PRELIMINARY MINUTES

Notice was duly published September 12, 2017 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on September 19, 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. No public comments were received. No announcements were made.

Attention was called to the following proceedings:

Tuesday, September 19, 2017:

11:00 Commission Hearing Room, Lincoln
Rule and In the Matter of the Nebraska Public Service Commission,
Regulation on its own motion, seeking to amend Title 291, Chapter 3,
199 Motor Carrier Rules and Regulations, to amend provisions of
the rules. Commissioner Tim Schram presiding as Hearing
Officer.

Tuesday, September 26, 2017:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

11:00 Commission Hearing Room, Lincoln
B-1948 In the Matter of Lift Medical Transportation, Omaha,
seeking authority as a common carrier of Nebraska
intrastate commerce in the transportation of passengers in
open class by van in Douglas, Sarpy, Cass, Lancaster, and
Washington Counties. RESTRICTION: The transportation of
railroad train crews and their baggage is not authorized.
HHS Designation: Yes. Commissioner Tim Schram presiding as
Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4924/ In the Matter of the Nebraska Public Service Commission
DC-91 regarding the 2016 Annual Report Filings. Commissioner Tim
Schram presiding as Hearing Officer: Motion made by
Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to
enter an Order sustaining in part and dismissing in part. Motion
passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder,
Crystal Rhoades and Tim Schram voting AYE.

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COMMUNICATIONS DEPARTMENT (Cont.)

C-4938 In the Matter of the Application of TTI National, Inc., seeking authority to transfer its customers to MCI Communications Services, Inc., d/b/a Verizon Business Services, and to cancel its certificate of interexchange authority and tariff: Motion made by Commissioner Rod Johnson, 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.

Cullen Robbins informed the Commission of the 2017 Annual Report to the Legislature: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the 2017 Annual Report to the Legislature. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

C-4939 In the Matter of the Application of NebraskaLink Holdings, LLC, Lincoln, Nebraska, seeking approval of an Interconnection Agreement with Windstream Nebraska, Inc., Little Rock, Arkansas;

C-4940 In the Matter of the Application of United Telephone of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of an Interconnection Agreement with BCN Telecom, Inc., Bedminster, New Jersey;

C-4941 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of an Interconnection Agreement with Airus, Inc., Chicago, Illinois; and

C-4942 In the Matter of the Application of United Telephone of the West d/b/a CenturyLink, Denver, Colorado, seeking approval of an Interconnection Agreement with NebraskaLink Holdings, LLC, Lincoln, Nebraska: Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter Orders approving applications C-4939, C-4940, C-4941, and C-4942. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NEBRASKA UNIVERSAL SERVICE FUND

NUSF-99.01 In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Universal Service Fund High-Cost Program: CenturyLink Broadband Grant Requests 2016. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order to deny motion for rehearing. Motion passed with Commissioners Rod Johnson, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Frank Landis voting NAY.

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NEBRASKA UNIVERSAL SERVICE FUND

Cullen Robbins discussed the NUSF Late-Filed Remittance Worksheets. Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to amend the current complaints against Business Plus, Inc. and Crexendo Business Solutions, Inc. and to open a complaint against Marco Technologies. Additionally, that late-fees be levied against Sprint Communications Company, Sprint Spectrum and Patriot Mobile LLC f/k/a/ EOS Mobile. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

RULES AND REGULATIONS

Rule & Regulation No. 200 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 8, Grain Warehouse Rules and Regulations, to adopt rules in accordance with Nebraska Legislative Bill 730 [2016], clarify security coverage for sellers of grain, and correct time for sellers to make a claim. Commissioner Mary Ridder presiding as Hearing Officer: Motion made by Commissioner Mary Ridder, seconded by Commissioner Frank Landis, to enter an Order adopting proposed Rules and issuing a Certificate of Adoption. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

TRANSPORTATION DEPARTMENT

R-186 In the Matter of Kaapa Ethanol Ravenna, LLC, Ravenna, seeking a waiver of Title 291, Ch. 4 minimum clearance requirements for an ethanol loadout structure at the ethanol plant in Ravenna, Nebraska: Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order granting waiver. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

M-14244 In the Matter of Kwik But Careful Movers of Omaha, LLC, d/b/a All My Sons Moving & Storage, Carrollton, Texas, seeking to acquire, through sale or transfer, the authority held by Kwik But Careful Movers of Omaha, Inc., in Certificate M-14218: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order granting temporary authority. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

TNC-2 In the Matter of the Commission, on its own motion, seeking to determine the annual fee for Transportation Network Companies: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order setting hearing on October 24, 2017, at 11:00 a.m., in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

- MCC-3193/
B-1743 In the Matter of Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Department, Nebraska Public Service Commission, Lincoln, Nebraska, Complainant, vs. Terry L. Blakey Enterprises, LLC, d/b/a Goodwill Medical Transportation, Omaha, Nebraska, Respondent; and
- MCC-3195/
B-1941 In the Matter of Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, Complainant, vs. Rick Klabenes, d/b/a Good Times Bus, Norfolk, Nebraska, Respondent: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Frank Landis, to enter Orders MCC-3193/B-1743 and MCC-3195/B-1941 sustaining the complaints. 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 public comments were received.

No motion was made on the Executive Director's recommendation to approve Commission invoices.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Commissioner Mary Ridder to travel to and attend the National Association of Regulatory Utility Commissioners' (NARUC) New Commissioner Regulatory Orientation in Washington, D.C. from October 1, 2017 to October 4, 2017, with all expense to be reimbursed by NARUC. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Mary Ridder present not voting.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to authorize Troy Cordle to travel to and attend the Association of Public-Safety Communications Officials (APCO) Communications Training Officer course in Atlanta, GA from November 12, 2017 to November 16, 2017, with all expenses to be paid by the Commission. 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 Rod Johnson, to approve the Executive Directors recommendation to approve the Commission Minutes for August 2017. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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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 authorize Jamie Reyes to travel to and attend the Federal Railroad Administration (FRA) State Manager's Meeting in Pueblo, CO, from September 25, 2017 through September 28, 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.

The meeting adjourned at 10:17 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 September 26, 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 September 25, 2017.

Chairman

Executive Director