

PRELIMINARY MINUTES

Notice was duly published November 21, 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 November 28, 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, and Tim Schram present and Commissioners Crystal Rhoades and Mary Ridder excused. 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, December 5, 2017:

10:00 Commission Hearing Room, Lincoln  
Commission Meeting

11:00 Commission Hearing Room, Lincoln  
Rule and Regulation No. 201 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 14, Recreational Vehicles Rules and Regulations, to adopt the current editions of applicable code books and update related provisions. Commissioner Tim Schram presiding as Hearing Officer.

1:30 TNC-2 Commission Hearing Room, Lincoln  
In the Matter of the Commission, on its own motion, seeking to determine the annual fee for Transportation Network Companies. Commissioner Tim Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4950 In the Matter of the Application of Cincinnati Bell Any Distance Inc., Cincinnati, Ohio, seeking a name change to CBTS Technology Solutions, LLC. Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an Order approving name change. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

AD-642r In the Matter of the Application of Broadnet Teleservices, LLC, Highlands Ranch, Colorado, seeking authority to register the connection of an automatic dialing-announcing device in Aurora, Colorado. Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

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COMMUNICATIONS DEPARTMENT (Cont.)

NUSF-99.03 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Universal Service Fund High-Cost Program: Windstream Nebraska, Inc., Broadband Grand Requests 2016: Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an Order granting application, in part. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

NUSF-108 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to make adjustments to its high-cost distribution mechanism and make revisions to its reporting requirements: Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an Order releasing high-cost amounts. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

NUSF-110 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to determine whether to discontinue ported support for grandfathered lines: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an Order amending caption and seeking further comments, due on or before December 22, 2017. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

Nichole Mulcahy discussed NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, that a Complaint be opened against Iowa Network Services, Inc. and, that the current Complaint against Marco Technologies, Inc. be amended. Additionally, that late-fees be levied against Citizens Telecommunications Co. of Nebraska, Frontier Communications of America, TracFone Wireless and UVNV, Inc. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

NEBRASKA 911 DEPARTMENT

911-002 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund: Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an Order setting the surcharge for the Calendar Year of 2018. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

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NATURAL GAS DEPARTMENT

- NG-0078.4 In the Matter of the Application of Black Hills Gas Distribution, LLC, d/b/a Black Hills Energy for an order authorizing it to increase the Safety and Integrity Charges (2018). Commissioner Frank Landis presiding as Hearing Officer; and
- NG-0093 In the Matter of Black Hills Energy/Nebraska Gas Utility, LLC, d/b/a Black Hills Energy, Papillion, Nebraska, seeking Approval of Certain Accounting and Regulatory Treatment of a Regulatory Asset Comprised of Increased Location Costs due to a Fiber Optics Project in Lincoln, Nebraska, and other specified relief. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter assessment orders NG-0078.4; BA-001 and BA-002 and NG-0093; BA-002. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

Nichole Mulcahy reported a total number of 5 consumer complaints and inquiries received at the Commission during October. For each company: Black Hills Energy - 1; Black Hills Distribution - 4; and Northwestern - 0; and Other Entities - 0.

TRANSPORTATION DEPARTMENT

- B-1960 In the Matter of Exclusive Limousine Service, Lincoln, seeking to acquire, through sale or transfer, the authority held by Exclusive Limousine, Lincoln, in Certificate B-1939: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an Order granting transfer and cancelling Certificate B-1939. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.
- BR-541/  
B-1947 In the Matter of Rockstar Transportation, 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 Rod Johnson, seconded by Commissioner Frank Landis, to enter an Order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

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GRAIN WAREHOUSE DEPARTMENT

GW-2195 In the Matter of First Rate Trading, LLC, Hadar, Nebraska, seeking authority as a grain warehouse pursuant to Neb. Rev. Stat. § 88-528 (Reissue of 2008): Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an Order grain the Grain Warehouse License. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

GD-2195 In the Matter of the Application of First Rate Trading, LLC, Hadar, Nebraska, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2016). Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an Order granting the Grain Dealer License. Motion passed with Commissioners Rod Johnson, Frank Landis, and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

GENERAL ADMINISTRATION

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

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

Rod Johnson \$ 1,153.46

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Deputy Director's recommendation to enter into an Independent Contractor Agreement with Ken Stadler, R.A., for the performance of manufactured home and modular housing unit plan review, effective November 30, 2017. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Deputy Director's recommendation to authorize David Sankey to travel to and attend the 2018 NG911 Standards & Best Practices Conference, to be held in Kissimmee, FL, from January 14, 2018, through January 18, 2018, with all expenses to be paid by the Commission. Motion passed with Commissioners Rod Johnson, Frank Landis and Tim Schram voting AYE, and Commissioners Mary Ridder and Crystal Rhoades excused not voting.

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The meeting adjourned at 10:24 a.m. with Commissioners Rod Johnson, Frank Landis, and Tim Schram present and Commissioners Crystal Rhoades and Mary Ridder excused. The next regularly scheduled meeting will be held on December 5, 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 December 4, 2017.

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Chairman

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Deputy Director