

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

December 19, 2017

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Notice was duly published December 12, 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 December 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 10:01 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, December 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,
No. 199 Motor Carrier Rules and Regulations, to amend provisions
of the rules. Commissioner Tim Schram presiding as Hearing
Officer.

1:30 Commission Hearing Room, Lincoln
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.

Tuesday, January 9, 2018:

1:30 Commission Hearing Room, Lincoln
PI-204 In the Matter of the Nebraska Public Service Commission, on
its own motion, seeking to investigate certain procedures
of certificated passenger carriers in the State of
Nebraska. Commissioner Tim Schram presiding as Hearing
Officer.

COMMUNICATIONS DEPARTMENT

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

COMMUNICATIONS DEPARTMENT (Cont.)

NUSF-61.10 In the Matter of the Nebraska Public Service Commission, seeking to review traffic studies to determine the appropriate percentage of assessable revenues subject to the Nebraska Universal Service Fund: United States Cellular Corporation's (U.S. Cellular) request for approval of traffic study: Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order approving request. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NUSF-108 In the Matter of the Nebraska Public Service Commission, on P.O. #3 its own Motion, 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 Mary Ridder, to enter an Order seeking comments, due on or before February 16, 2018. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NUSF-111/ In the Matter of the Commission, on its own motion, seeking PI-211 to determine a rate design and address implementation issues with a connections-based contribution mechanism: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an Order opening docket and seeking comments, due on or before January 30, 2018. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NUSF-111/ In the Matter of the Commission, on its own motion, seeking PI-211 to determine a rate design and address implementation issues with a connections-based contribution mechanism: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter a Protective Order. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NEBRASKA 911 DEPARTMENT

911-018/ In the Matter of the Nebraska Public Service Commission, on PI-117 its own motion, seeking to establish audit requirements related to the wireless Enhanced 911 Fund: XO Communications Services, LLC. No motion was made.

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NATURAL GAS DEPARTMENT

OP-0003 In the Matter of the Application of TransCanada Keystone Pipeline, L.P., Calgary, Alberta, seeking approval for Route Approval of the Keystone XL Pipeline Project Pursuant to the Major Oil Pipeline Siting Act. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Mary Ridder, to enter an Order denying the motion for reconsideration. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Mary Ridder and Tim Schram voting AYE.

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 Rod Johnson, seconded by Commissioner Mary Ridder, to enter Assessment Orders BA-003 and BA-004 in Dockets NG-0078.4 and NG-0093. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Mary Ridder and Tim Schram voting AYE.

Nichole Mulcahy reported a total number of 3 consumer complaints and inquiries received at the Commission during November. For each company: Black Hills Energy - 1; Black Hills Distribution - 0; and Northwestern - 0; and Other Entities - 2.

TRANSPORTATION DEPARTMENT

B-1961 In the Matter of Star Limo Party Bus, LLC, Omaha, 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. RESTRICTIONS: 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 granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

In the Matter of the 2017 Annual Report to the Legislature on the status of the Implementation of LB-629 (2015): Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to approve the 2017 Annual Report to the Legislature. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioner Crystal Rhoades voting NAY.

BR-542/
B-1961 In the Matter of Star Limo Party Bus, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 715, Articles 1 and 3: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Frank Landis, to enter an Order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

MR-1009/
PI-70 In the Matter of the Nebraska Public Service Commission, on its own motion, initiating an 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 postponing schedule. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

MR-1021/
PI-210 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the efficacy of the Official Household Goods Tariff 7F and Official Intracity Household Goods Tariff 22 and evaluate potential changes to the tariff system: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Frank Landis, to enter an Order scheduling second workshop and seeking comments. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE. A workshop is scheduled for January 30, 2018, at 11:00 a.m., in the Commission Hearing Room, Lincoln.

GRAIN WAREHOUSE DEPARTMENT

GW-615 In the Matter of the attached list of completed list of etal warehouse license renewals for the 4th quarter of 2017. John Fecht reported on the 4th quarter grain warehouse renewal licenses.

GW-405 In the Matter of The Farmers' Grain and Live Stock Company, Hadar, Nebraska: John Fecht reported that the grain warehouse license was cancelled as of December 1, 2017.

GD-1036 In the Matter of the attached list of completed list of etal grain dealer license renewals of the 4th quarter of 2017: John Fecht reported on the 4th quarter grain dealer renewal licenses.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GD-3025 In the Matter of the Application of Sunrise Foods International (USA) Inc., Pender, 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 Mary Ridder, to enter an Order granting the Grain Dealer License.

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 Mary Ridder, to approve the Executive Director's recommendation to approve Mark Luttich and Kirk Weber to travel to Custom Touch Homes in Madison, South Dakota, and perform a modular home inspection from December 26, 2017 through December 28, 2017, with Mark Luttich's expenses, including time, to be reimbursed to the Commission by Custom Touch Homes, and Kirk Weber's expenses to be paid by the Commission. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioner Crystal Rhoades present not voting.

The meeting adjourned at 10:20 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 January 9, 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 January 8, 2017.


Chairman


Executive Director