

PRELIMINARY MINUTES

Notice was duly published February 27, 2018 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 6, 2018 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Frank Landis, Mary Ridder, and Tim Schram present and Commissioner Rod Johnson and Crystal Rhoades excused. Chair Ridder 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, March 13, 2018:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

1:30 Commission Hearing Room, Lincoln
C-4967 In the Matter of the Commission, on its own motion, to determine the surcharge for the statewide Telecommunications Relay System to be effective July 1, 2018. Commissioner presiding Mary Ridder as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4952 In the Matter of the Application of Citizens Telecommunications Company of Nebraska for a determination that Neb. Code, Title 291, Chapter 1, §019.91 et seq.; Title 291, Chap. 5, §002.22A and §010.09; Title 291, Chap. 10, §006.07A be clarified or waived entirely or partially to permit compliance by digitally published directories, including online, rather than traditional paper printing publication. Commissioner Rod Johnson presiding as Hearing Officer. Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an Order granting Waiver. Motion passed with Commissioners Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioners Rod Johnson and Crystal Rhoades excused not voting.

C-4966 In the Matter of the Joint Application of Glenwood Telecommunications, Inc., Blue Hill, Nebraska, and ALLO Communications, LLC, Imperial, Nebraska, seeking approval of Telephony Transaction: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an Order granting Application. Motion passed with Commissioners Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioners Rod Johnson and Crystal Rhoades excused not voting.

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COMMUNICATIONS DEPARTMENT (Cont.)

Cullen Robbins discussed NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, that a Complaint against Business Plus, Inc., be amended and that a late-fee be levied against Vonage Business, Inc. Motion passed with Commissioners Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioners Rod Johnson and Crystal Rhoades excused not voting.

Cullen Robbins informed the Commission of the telecommunications complaints and outages received by the Communications Department during the preceding month. Commissioner Crystal Rhoades arrived at 10:05 a.m.

Outages for February 2018										
Outage Number	Telephone Company	Affected Area	Outage Date	Completion Date	Duration	Number of Access Lines	Cause Primary	Cause Secondary	Comments	
17-59	Windstream Nebraska, Inc.	Hickman exchange	Feb-05-18	Feb-05-18	0 d 7 h	640	Other		The cause was a frozen splice case. Replaced the case to restore service.	
17-60	Cox Nebraska Telcom, LLC	Omaha	Feb-05-18	Feb-05-18	0 d 2 h	10344	Equipment		Hardware failure causing cable modems to lose connectivity to the network.	
17-61	CenturyLink QC	Omaha	Feb-03-18	Feb-06-18	3 d 1 h	112	Damaged Cable		A portion of Omaha switch was not processing calls - Power was restored. Caused by vehicle knocking out power pole that serves DSLAM. Generator brought in as a temporary fix had issues due to weather.	
17-62	CenturyLink QC	Omaha	Feb-21-18	Feb-21-18	0 d 5 h	231	Damaged Cable		1500 Pair Cable Damaged - Field Operations repaired the wet copper cable.	
17-63	CenturyLink QC	Omaha	Feb-28-18	Feb-28-18	0 d 2 h	221	Cable Cut		Field Operations repaired the copper cable - Cable was hit by MUD - Centurylink claims locates were requested.	

NEBRASKA 911 DEPARTMENT

911-033.15 In the Matter of David A. Sankey, Director of the Nebraska State 911 Department of the Nebraska Public Service Commission, Complainant, v. Flash Wireless, LLC, Respondent: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an Order dismissing the Complaint. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

911-042.06 In the Matter of the Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 services: City of Grand Island: Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to enter an Order approving funding for equipment. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

PRELIMINARY MINUTES

NEBRASKA 911 DEPARTMENT (Cont.)

911-042.13 In the Matter of the Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Merrick County; and

911-042.15 In the Matter of the Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Hamilton County: Motion made by

Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter Orders approving funding of equipment in Dockets 911-042.13 and 911-042.15. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

911-042.61 In the Matter of the Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Otoe County: Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to enter an Order approving funding for GIS site/structure address point layer. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

911-060.42 In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions: Furnas County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Frank Landis, to enter an Order approving funding for Text to 911. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1575 In the Matter of Golden Plains Services, LLC, d/b/a High Plains Cab Service, McCook, seeking cancellation of its Certificate of Public Convenience and Necessity issued in Application No. B-1575: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an Order cancelling Certificate B-1575: Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

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TRANSPORTATION DEPARTMENT (Cont.)

B-1831 In the Matter of JH Transport, LLC, Lincoln seeking cancellation of its Certificate of Public Convenience and Necessity issued in Application No. B-1831: Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to enter an Order cancelling Certificate B-1831. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

B-1958 In the Matter of Blair Blue Cab, LLC, Blair, seeking authority for the use of electronic trip logging equipment pursuant to 291 NAC 3, Subsection 010.01E: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order granting application. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

B-1963 In the Matter of Red Star Transport, LLOC, Atkinson, 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 Tim Schram, seconded by Commissioner Frank Landis, to enter an Order granting application. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

B-1964 In the Matter of CASHCAA, LLC, dba 4 County Party Bus, Broken Bow, 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 Frank Landis, seconded by Commissioner Crystal Rhoades, to enter an Order granting application. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

R-187 In the Matter of the Application of BNSF Railway Company, Fort Worth, Texas, seeking a waiver of Title 291, Ch. 4 minimum side clearance requirements at a rail located in the vicinity of Hampton, Nebraska: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an Order granting waiver. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

PRELIMINARY MINUTES

TRANSPORTATION DEPARTMENT (Cont.)

MCC-3196 In the Matter of Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, Complainant v. Alpha Life Improvement Services; Big O's Party Bus; Black Tie Limousine, Inc.; Emerald Limousine, Inc.; Good Times Roll GI; Heartland Party Bus; Jason's Limousine Service; Limousine Services, LLC; Midwest Party Bus; Nebraska Taxi, LLC; Chet's Transfer, Inc.; Ford Storage & Moving Co.; Freight Train Express, LLC; Mid-America Relocation, Inc.; Middle West Movers; Monroe Moving; Murphy Moving, Inc.; Red Carpet Moving, LLC; Shasteen Transfer and Storage; Transfer 88, Liberty Mobility Now, and Respondents. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an Order To Show Cause and Set Hearing. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting. A hearing was scheduled for May 1, 2018, at 11:00 a.m., in the Commission Hearing Room, Lincoln.

TR-210/ In the Matter of Blair Blue Cab, LLC, Blair, Nebraska, B-1958 seeking authority to set its rates and charges on an emergency basis: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an Order granting rates on an emergency basis. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

GENERAL ADMINISTRATION

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

Crystal Rhoades	\$	484.00
Dave Sankey		389.03
Tim Schram		592.96

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Grain Department staff to travel to and perform inspections at the Kansas locations of Farmers Co-Op and Ag Valley Co-Op, at any time in calendar year 2018, with all expenses to be paid by the Commission. Motion passed with Commissioners Frank Landis, Mary Ridder and Tim Schram voting AYE, Commissioner Crystal Rhoades present not voting, and Commissioner Rod Johnson excused not voting.

PRELIMINARY MINUTES

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve Mike Bartels to travel to Manhattan, Kansas to attend training on ExamHand software, on April 10, 2018 through April 11, 2018. Motion passed with Commissioners Frank Landis, Mary Ridder and Tim Schram voting AYE, Commissioner Crystal Rhoades present not voting, and Commissioner Rod Johnson excused not voting.

The meeting adjourned at 10:32 a.m. with Commissioners Frank Landis, Crystal Rhoades, Mary Ridder, and Tim Schram present and Commissioner Rod Johnson excused. The next regularly scheduled meeting will be held on March 13, 2018 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 12, 2018.

Chair

Executive Director