

## PRELIMINARY MINUTES

Notice was duly published June 12, 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 June 19, 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 Rod Johnson, Frank Landis, Crystal Rhoades, Mary Ridder, and Tim Schram present. 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:

### Wednesday, June 20, 2018:

1:00 Doniphan Area Event Center,  
103 West Pine Street, Doniphan  
C-4973 In the Matter of the Application Keith Skrdland, Doniphan,  
seeking authority to receive advanced telecommunications  
service from the Doniphan Exchange of Hamilton Telephone  
Company. Commissioner Rod Johnson presiding as Hearing  
Officer.

### Tuesday, June 26, 2018:

10:00 Commission Hearing Room, Lincoln  
Commission Meeting

### COMMUNICATIONS DEPARTMENT

C-4978 In the Matter of the Application of Ionex Communications  
North, Inc., d/b/a Birch Communications, Atlanta, Georgia,  
seeking a name change to Ionex Communications North, LLC d/b/a Birch  
Communications. Motion made by Commissioner Tim Schram, seconded by  
Commissioner Rod Johnson, to enter an Order granting application.  
Motion passed with Commissioners Rod Johnson, Frank Landis, Mary  
Ridder, Crystal Rhoades and Tim Schram voting AYE.

C-4980 In the Matter of the Joint petition of Mitel Cloud  
Services, Inc., M5 Networks, LLC, and Corvisa, LLC,  
Wilmington Delaware, seeking approval of a merger of M5 Networks, LLC,  
and Corvisa, LLC into Mitel Cloud Services, Inc. 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, Mary Ridder, Crystal Rhoades and Tim Schram  
voting AYE.

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COMMUNICATIONS DEPARTMENT (Cont.)

C-4983/ DC-93 In the Matter of the Nebraska Public Service Commission Communications Department, on its own motion, regarding the 2017 Annual Report filings. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order dismissing the Complaint, in part. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NUSF-61.11 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: New Cingular Wireless PCS, LLC and Cricket Wireless, LLC request for approval of Traffic Study: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an Order granting request. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NUSF-108, PO #3 In the Matter of the Nebraska Public Service Commission, on 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 Tim Schram, to enter an Order seeking further comments due July 19, 2018 and, setting a hearing for August 22, 2018 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.

Cullen Robbins reported on telecommunications complaints and outages received by the Communications Department during the preceding month of May, 2018.

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COMMUNICATIONS DEPARTMENT (Cont.)

Outages for May 2018								
Outage Number	Telephone Company	Affected Area	Outage Date	Completion Date	Duration	Number of Access	Cause Primary	Comments
17-76	CenturyLink	Fremont	05-04-18	05-04-18	0 d 12 h	658	Damaged Cable	Wet cable, weather related. Field Operations repaired the copper cable
17-77	CenturyLink	Scottsbluff	05-08-18	05-08-18	0 d 11 h	1873	Other	CenturyLink failed to deliver 911 location information (ANI/ALI) to PSAPs. - Equipment was customer provided (CPE) - CPE repaired
17-78	CenturyLink	Omaha	05-08-18	05-09-18	0 d 20 h	104	Damaged Cable	Cable Cut - Cable was repaired to restore services. Contractor was Valley Corporation, Locates were requested and visible, but not accurate. USIC performed the locates. Location of the cut was Giles Road and Harry Anderson Ave. in Omaha.
17-79	K&M	Chambers and Inman	05-09-18	05-09-18	0 d 1 h	500	Equipment	Remote timing synchronization failures with one of the EAS trunk group T1 spans. The other T1 span(s) provided service except during intermittent maintenance on the remote side of the circuit. Note that shorter duration synchronization slip issues with the T1 span occurred at several earlier times throughout the day.
17-80	CenturyLink	Omaha	05-21-18	05-22-18	0 d 12 h	240	Cable Cut	Human Error - Public - cable was repaired - Omaha Electric Services cut this cable. Locates were requested, completed, and accurate. The location of the cut was the southeast corner of 156th & Harrison.
17-81	CenturyLink	Broken Bow	05-24-18	05-24-18	0 d 2 h	112	Cable Cut	Human Error - Public - Outage caused by Love Sign Company out of Grand Island. They were placing a sign for the hospital clinic. Locates were requested and done, but were not accurate.
17-84	Great Plains	Archer (308-795) to Palmer (308-	05-29-18	05-31-18	2 d 1 h	45	Equipment	Recurring issue due to DS1 issues - Frontier replaced card, Great Plains replaced Network Interface Unit (NIU).

NATURAL GAS DEPARTMENT

NG-0095/ In the Matter of the Commission, on its own motion, seeking  
 PI-213/ to investigate the effect of the Tax Cut and Jobs Act of  
 NG-0095.2/ 2017 upon rates set by Nebraska's natural gas public  
 NG-0095.3 utilities: Black Hills/Nebraska Gas Utility Company, LLC  
 d/b/a Black Hills Energy; Black Hills Gas Distribution, LLC  
 d/b/a Black Hills Energy. Motion made by Commissioner Frank Landis,  
 seconded by Commissioner Tim Schram, to enter an Order approving  
 stipulation. Motion passed with Commissioners Rod Johnson, Frank  
 Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NG-0096 In the Matter of Global Energy, LLC, New York, New York,  
 seeking authority for a Competitive Natural Gas Provider  
 Certificate in the State of Nebraska. Motion made by Commissioner Tim  
 Schram, seconded by Commissioner Rod Johnson, to enter Order  
 withdrawing application. Motion passed with Commissioners Rod Johnson,  
 Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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### TRANSPORTATION DEPARTMENT

B-1959 In the Matter of KMS Shuttle Service, LLC, York, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van in open class service between points in York, Lancaster, Hall, Seward, and Hamilton Counties over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order to Show Cause and Set Hearing scheduled for July 25, 2018 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.

B-1971 In the Matter of the Application of WHC NE, LLC, d/b/a Happy Cab and Z Trip, Lincoln, seeking to acquire, through sale or transfer, the authority held by Happy Cab Company d/b/a Happy Cab in Application No. B-1215: Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order Nunc Pro Tunc. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

M-14225 In the Matter of Rojoli Transportation, Inc. d/b/a Two Men and a Truck, Fairfax, Missouri, seeking suspension of its Certificate of Public Convenience and Necessity issued in Application No. M-14225: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an Order to Show Cause and Set Hearing scheduled for July 25, 2018 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.

### GRAIN WAREHOUSE DEPARTMENT

GW-20 In the Matter of Farmers Union Co-operative Association of Lynch, Lynch, Nebraska: John Fecht reported on shortage of soybeans.

GW-22 In the Matter of Ag Valley Cooperative, Non-Stock, Edison, Nebraska: John Fecht reported on shortage of milo.

GW-279 In the Matter of Farmers Cooperative, Dorchester, Nebraska: John Fecht reported on shortage of wheat and oats.

GW-2152 In the Matter of Krumel Grain & Storage, Inc., Wahoo, Nebraska: John Fecht reported that the grain warehouse license was cancelled as of June 1, 2018.

PRELIMINARY MINUTES

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GD-3031 In the Matter of the Application of Mercaris Corporation, Silver Spring, Maryland, 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 nunc pro tunc. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades, and Tim Schram voting AYE.

GD-3032 In the Matter of the Application of NORAG LLC, Stilwell, Kansas, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2016). Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an Order granting the Grain Dealer License. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades, and Tim Schram voting AYE.

GD-3033 In the Matter of the Application of KAAPA Ethanol Commodities, LLC, Kearney, Nebraska, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2016). Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting the Grain Dealer License. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades, and Tim Schram voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, 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.

Frank Landis \$ 161.21

Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve Minutes for May, 2018. 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 Tim Schram, to approve the Executive Director's recommendation to authorize Shana Knutson and Cullen Robbins to travel to and attend the 2018 National Association of Regulatory Utility Commissioners' Summer Policy Summit in Phoenix, Arizona, from July 13, 2018 to July 18, 2018, with all 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.

PRELIMINARY MINUTES

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder and Tim Schram to travel to and attend the 2018 National Association of Regulatory Utility Commissioners' Summer Policy Summit in Phoenix, Arizona, from July 15, 2018 to July 18, 2018, with all 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.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to authorize John Fecht, Terri Fritz and Scott Micek to travel to and attend the 2018 Association of Grain Regulatory Officials (AGRO) Conference in Sioux Falls, South Dakota, from July 22, 2018 to July 25, 2018, with all 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.

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The meeting adjourned at 10:27 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 June 26, 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 June 25, 2018.

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Chair

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Executive Director