

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

March 5, 2019

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Notice was duly published February 26, 2019 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 5, 2019 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, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier 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, March 6, 2019:

- 11:00 Doniphan Event Center, 103 W. Pine St.,
Doniphan, NE 68832
- C-5003 In the Matter of the Application of Douglas Rainforth,
Doniphan, seeking authority to receive advanced
telecommunications service from the Doniphan Exchange of
Hamilton Telephone Company. Commissioner Rod Johnson
presiding as Hearing Officer;
- C-5004 In the Matter of the Application of Stephan Rainforth,
Doniphan, seeking authority to receive advanced
telecommunications service from the Doniphan Exchange of
Hamilton Telephone Company. Commissioner Rod Johnson
presiding as Hearing Officer;
- C-5005 In the Matter of the Application of Keith and Carol
Haussler, Hastings, seeking authority to receive advanced
telecommunications service from the Doniphan Exchange of
Hamilton Telephone Company. Commissioner Mary Ridder
presiding as Hearing Officer;
- C-5007 In the Matter of the Application of Troy Jones, Doniphan,
seeking authority to receive advanced telecommunications
service from the Doniphan Exchange of Hamilton Telephone
Company. Commissioner Rod Johnson presiding as Hearing
Officer;
- C-5010 In the Matter of the Application of Gayle Reiners,
Doniphan, seeking authority to receive advanced
telecommunications service from the Doniphan Exchange of
Hamilton Telephone Company. Commissioner Rod Johnson
presiding as Hearing Officer; and
- C-5017 In the Matter of the Application of Benjamin Harmon,
Giltner, seeking authority to receive advanced
telecommunications service from the Trumbull Exchange of
Hamilton Telephone Company. Commissioner Rod Johnson
presiding as Hearing Officer.

Tuesday, March 12, 2019:

- 10:00 Commission Hearing Room, Lincoln
Commission Meeting

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COMMUNICATIONS DEPARTMENT

C-5014 In the Matter of the Application of Ellen Zvolanek, Wymore, seeking authority to receive advanced telecommunications service from the Oketo, Kansas Exchange of Blue Valley Telecommunications: Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5029 In the Matter of the Joint Application of Protocall, LLC, Olathe, Kansas, and Combined Public Communications, LLC, Cold Spring, Kentucky, seeking to transfer assets and customers of Protocall, LLC, to Combined Public Communications, LLC: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5037/ PI-223 In the Matter of the Commission, on its own motion, to investigate the level of service quality provided by United Telephone Company of the West d/b/a CenturyLink Communications in the Oshkosh, Lewellen and Chappell Telephone Exchanges: Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order setting a Hearing for April 8, 2019 at 12:30 p.m. at the Garden County Courthouse, 611 Main Street, Oshkosh, Nebraska. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5031 In the Matter of the Application of Citizens Telecommunications company of Nebraska d/b/a Frontier Communications of Nebraska, Mound, Minnesota, and Glenwood Telecommunications, Inc., Blue Hill, Nebraska, seeking approval of an interconnection agreement pursuant to Section 47 U.S.C. § 252 (i): Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-99.12 In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Universal Service Fund High cost Program: Windstream Nebraska Inc., Broadband Grant Request;

NUSF-99.21 In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Universal Service Fund High cost Program: Windstream Nebraska Inc., Broadband Grant Request;

NUSF-99.22 In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Universal Service Fund High cost Program: Windstream Nebraska Inc., Broadband Grant Request;

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COMMUNICATIONS DEPARTMENT (Cont.)

NUSF-99.26 In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Universal Service Fund High cost Program: Windstream Nebraska Inc., Broadband Grant Request; and

NUSF-99.33 In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Universal Service Fund High cost Program: Windstream Nebraska Inc., Broadband Grant Request: Motion made by Commissioner Dan Watermeier, seconded by Commissioner Crystal Rhoades, to enter Orders granting exchange projects for NUSF-99.12 (NW Plattsmouth ILEC), NUSF-99.21 (NW Murray ILEC), NUSF-99.22 (Murray ILEC), NUSF-99.26 (NW Cedar Bluffs ILEC), and NUSF-99.33 (NW Firth ILEC). Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins informed the Commission of the telecommunications complaints and outages received by the Communications Department during the preceding month.

Outages for February 2019						
Telephone Company	Affected Area	Outage Date	Duration	Number of Access Lines	Cause Primary	Comments
Qwest Corporation	Omaha	Feb-05-19	1 d 4 h	189	Damaged Cable	Cable was dried out to restore customers service.
Elsie Communications, Inc.	Elsie/Grainton	Feb-18-19	2 d 2 h	65	Damaged Cable	Fiber optic cable south of Elsie was damaged by gophers.

STATE 911 DEPARTMENT

911-042.56 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: York County: Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter two Orders approving funding request for GIS mapping and computer aided dispatching systems and for call handling equipment. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Dave Sankey sought Commission approval to open a Complaint against Sprint Spectrum, LP for overcharging customer accounts for Enhanced Wireless 911 surcharges and the reporting and payment of those surcharges to the Commission: Motion made by Commissioner Dan Watermeier, seconded by Commissioner Crystal Rhoades, to approve opening a complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1315 In the Matter of K & S Expressway, Inc., Atkinson, seeking to cancel its Certificate of Public Convenience and necessity issued in Docket No. B-1315: Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order cancelling certificate. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1966 In the Matter of the Application of Mojo Mobility, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van in open class between points in Thurston, Dakota, Cuming, Burt, Dodge, Washington, Douglas, Sarpy, Saunders, Cass, Otoe, Butler, Colfax, Lancaster and Seward Counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order denying application. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

B-1977 In the Matter of the Application of D&N Event Center, North Platte, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party and charter service between points within a 60-mile radius of North Platte, on the one hand, and, on the other hand, 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 Rod Johnson, to enter an Order denying application: Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

MCC-3197 Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, Complainant v. D&N Event Center, North Platte, Nebraska, Respondent: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order opening complaint and scheduling a Hearing for April 16, 2019, at 11:00 a.m., Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

MCC- Jamie L. Reyes, Director, Motor Transportation
3196.01 Department, Nebraska Public Service Commission,
Lincoln, Nebraska, Complainant v. Alpha Life Improvement
Services; Bus at the Yard dba Luxury Limousine, Caring Hearts
Transportation; Reliance Medical Transportation, LLC; Heartland Party
Bus; Jason's Limousine Service; Kelly DeSive; National Health
Transport; Nebraska Taxi, LLC; Ollie the Trolley; Tree City Cab
Company; Wings of Love; A & A Landscaping; American Eagle Van Lines,
Inc.; Blair Moving; Ford Storage & moving co.; Middle West Movers;
Nebraska Transport Co., Inc.; and Smoldt Moving & Storage, Inc.,
Respondents: Motion made by Commissioner Tim Schram, seconded by
Commissioner Crystal Rhoades, to enter an Order to show cause and
schedule Hearing for April 23, 2019, at 11:00 a.m., Commission Hearing
Room, Lincoln. Motion passed with Commissioners Rod Johnson, Crystal
Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

GENERAL ADMINISTRATION

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

Crystal Rhoades	\$	386.28
Tim Schram		591.60
Dan Watermeier		552.16

Motion made by Commissioner Tim Schram, seconded by
Commissioner Rod Johnson, to approve the Executive Director's
recommendation to authorize Kea Morovitz to travel to and attend the
Esri Southwest User Conference on March 26 & 27, 2019, in Denver, CO,
with all expenses to be paid by the Commission. Motion passed with
Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier
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 approve Steve Stovall to travel to and attend the
Interstate TRS Fund Advisory Council meetings in Washington, D.C. on
April 8 & 9, 2019, with all expenses to be reimbursed by the
Interstate TRS Fund. Motion passed with Commissioners Rod Johnson,
Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and
Commissioner Crystal Rhoades present not voting.

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The meeting adjourned at 10:36 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on March 12, 2019 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 11, 2019.



Chair



Executive Director