

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 24, 2023

Page 1

Notice was duly published January 12, 2023 on page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on January 10, 2023 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Dan Watermeier called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Kevin Stocker, Eric Kamler, Tim Schram and Dan Watermeier present in the Commission Hearing Room. Chair Watermeier 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:

COMMUNICATIONS DEPARTMENT

C-5462: In the Matter of the Application of Nebraska Central Telephone Company, Gibbon, Nebraska, seeking corrective adjustments to the exchange boundaries of several of its exchanges. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order approving exchange boundary adjustments. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5467: In the Matter of the Application of Dewey Gubbels, Randolph, seeking authority to receive advanced telecommunications service from the Pierce Exchange of Pierce Telephone Company, Inc. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order approving application. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5470: In the Matter of the Application of Minette Malm, Tyler Janky, Darin and Chevonne Garfield, and Valley View Golf Course, Marquette, each seeking authority to receive advanced telecommunications capability service from the Marquette exchange of the Hamilton Telephone Company. Motion to enter an Order approving application; and

C-5472: In the Matter of the Application of Justin Anderson, Marquette, seeking authority to receive advanced telecommunications capability service from the Marquette exchange of the Hamilton Telephone Company. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order approving application. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

CPF-1: In the Matter of the Nebraska Public Service Commission, on its own motion, to administer federal Capital Projects Funds for broadband development in Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter Order modifying guidance on eligible areas. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 24, 2023

Page 2

NUSF-37.414: Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Crexendo Business Solutions, Inc., Respondent. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order dismissing Complaint. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-61.23: In the Matter of the Nebraska Public Service Commission, 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 Kevin Stocker to enter an Order approving traffic study. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-99: In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-cost Program. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Authorizing Payments and Setting Project Selection Deadline. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order Authorizing Payments for Calendar Year 2023. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

LEGISLATIVE

LB 63: Discussion and action on pending legislation. No Motion was made; bill was passed over.

LB 119: Discussion and action on pending legislation. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to support and send letter of support. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

LB 155: Discussion and action on pending legislation. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to monitor without testimony. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

LB 359: Discussion and action on pending legislation. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to support with testimony. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 24, 2023

Page 3

LB 412: Discussion and action on pending legislation. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to support with testimony. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

LB 683: Discussion and action on pending legislation. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker motion for neutral position with testimony. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

LB 722: Discussion and action on pending legislation. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to support with testimony. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

LB 264: Discussion and action on pending legislation. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to support with testimony. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

LB 305: Discussion and action on pending legislation. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler for neutral position with testimony. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

B-2028: In the Matter of the Application of @ Your Service, LLC, Des Moines, Iowa, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers by sedan and van in open class service between all points in Nebraska over irregular routes pursuant to its contract with Access 2 Care. HHS Designation: No. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram Order Granting Withdrawal and Dismissing Application. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

MT-0001.03: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to address certain carriers in non-compliance with annual renewal requirements. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker Order to Dismiss, in Part. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2028.01r: In the Matter of the Application of @ Your Service, LLC, Des Moines, Iowa, 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 Kevin Stocker, seconded by Commissioner Tim Schram Order Granting Withdrawal and Dismissing Application. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 24, 2023

Page 4

GENERAL ADMINISTRATION

Executive Director's recommendation to reschedule the Commission Meeting on Tuesday, February 7, 2023 at 10:00 a.m. to Wednesday, February 8, 2023 at 10:00 a.m. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Executive Director's recommendation to approve minutes for December 6 and December 13, 2023. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

The meeting adjourned at 10:26 a.m. with Commissioners Kevin Stocker, Eric Kamler, Tim Schram, and Dan Watermeier present. The next regularly scheduled meeting will be held on January 31, 2023 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 30, 2023.



Chair



Executive Director