

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

April 25, 2023

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Notice was duly published April 13, 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 April 25, 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, Tim Schram, Christian Mirch, Eric Kamler, 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

NUSF-37.421: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. NetZero Wireless, Inc., Respondent. to enter an Order dismissing the Complaint;

NUSF-37.422: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Time2Market Cloud Services, LLC, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order dismissing the Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

NUSF-92/PO #14: In the Matter of the Nebraska Public Service Commission, on its Own Motion, to Administer the Nebraska Universal Service Fund Broadband Program. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order Nunc Pro Tunc correcting a clerical error in the April 19, 2023 Order Opening 2023 Application Window. Motion passed with Commissioners Eric Kamler, Christian Mirch, 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 granting Extension of Time, in part, to United Telephone Company of the West d/b/a CenturyLink for the Chappell project. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

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NATURAL GAS DEPARTMENT

NG-102/PO-6: In the Matter of the Commission, on its own motion, seeking to review policies and practices relating to the administration of customer choice programs for natural gas service offered within the State of Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an order setting the workshop. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

NG-13: In the Matter of the Commission, on its own motion, to evaluate and establish, on a quarterly basis, an assessment for jurisdictional utilities pursuant to the State Natural Gas Regulation Act, Neb. Rev. Stat. §66-1801 et seq. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter Progression Order #79. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

NG-119: In the Matter of the Commission, to conduct a review of gas supply cost adjustment schedules implemented by Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, pursuant to Neb. Rev. Stat. § 66-1854. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter assessment order BA-1. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

P-12.34: In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, notice of intent to extend its service area for purposes of serving the Sunset Meadows Development near 204th Street from Giles Road to Josephine Street in Sarpy County, Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an order closing the docket. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

NG-119: In the Matter of the Commission, to conduct a review of gas supply cost adjustment schedules implemented by Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, pursuant to Neb. Rev. Stat. § 66-1854. Nichole Mulcahy informed the Commission a hearing has been set for November 7, 2023, at 1:30 pm in the Commission Hearing Room and via webconference.

TRANSPORTATION DEPARTMENT

ML-48: In the Matter of the Application of Somebody with a Truck, LLC, Omaha, seeking to reinstate its license to provide household goods moving services in Nebraska intrastate commerce between all points in Nebraska over irregular routes. Motion made by Commissioner Christian Mirch, seconded by Commissioner Tim Schram Order Granting License

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Reinstatement. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GRAIN DEPARTMENT

GD-2967/ GDC-452: In the Matter of Terri Fritz, Director of the Nebraska Public Service Commission Grain Dealer Department, Complainant, Vs. Grain Place Foods, Inc., Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order to show cause and notice of hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

GD-3000: In the Matter of the application of Agfinity, Inc., Eaton, Colorado, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2018). Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

GD-3065: In the Matter of the application of Chief Ethanol Fuels, Inc., Hastings, Nebraska, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2018). Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

GD-1894: In the Matter of Hartington Feed & Chick Store, Inc., Hartington, Nebraska: Terri Fritz reports that the grain dealer license was canceled as of April 18, 2023.

LEGISLATIVE

Discussion on pending legislation. No Motion was made.

GENERAL ADMINISTRATION

Executive Director's recommendation to replace one vehicle in the Grain Department. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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The meeting adjourned at 10:20 a.m. with Commissioners Kevin Stocker, Tim Schram, Christian Mirch, Eric Kamler, and Dan Watermeier present. The next regularly scheduled meeting will be held on May 9, 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 May 8, 2023.



Chair



Executive Director