

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

May 9, 2023

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Notice was duly published April 21, 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 May 9, 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 10:02 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**

**C-5496:** In the Matter of the Application of Allo Communications, LLC, Lincoln, and Allo Asset Entity 1, LLC, Lincoln, jointly seeking authority for Allo Asset Entity 1, LLC, to operate as a local exchange and interexchange carrier of telecommunication services within the State of Nebraska, and for a transfer of control. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**C-5497:** In the Matter of the Application of Nedelco, Inc., Aurora, seeking authority for its wholly owned subsidiaries The Hamilton Telephone Company, Hamilton Long Distance Company, Hamilton.net, Inc., Hamilton NG911, Inc., Nebraska Central Telephone Company, and Nebraska Central Telecom, Inc. to each add the trade name Hamilton Telecommunications. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order granting application, in part. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**C-5502/DC-102:** In the Matter of Nebraska Public Service Commission Communications Department, on its own Motion, regarding the 2022 Annual Report filings. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order opening docket, Order to Show Cause and, setting a Hearing for July 13, 2023 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**C-5494:** In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an Operations Support Systems/Billing Support Systems and Local Number Portability Amendment to its Interconnection Agreement with Charter Fiberlink -

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Nebraska, LLC, Atlanta, Georgia. to enter an Order granting application; and

**C-5495:** In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an Operations Support Systems/Billing Support Systems and Local Number Portability Amendment to its Interconnection Agreement with Time Warner Cable Information Services (Nebraska), LLC, Atlanta, Georgia. Motion made by Commissioner Eric Kamler, 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.

**NUSF-99:** In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program. to enter an Order granting Windstream's request for an Extension of Time to complete the Milford, Hallam, Beaver Crossing, Plattsmouth and Yutan projects; and

**NUSF-99.126:** 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, to enter an Order granting Windstream's request for an Extension of Time to complete the Hallam 9E project; and

**NUSF-99.134:** 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 Tim Schram, seconded by Commissioner Christian Mirch to enter an Order granting Windstream's request for an Extension of Time to complete the Shelby project. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

BT Americas, Inc. and Vyve Business Services, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler Cullen Robbins seeks Commission approval to open NUSF Remittance Complaints against BT Americas, Inc. and Vyve Business Services, LLC. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Report on telecommunications Complaints and Outages received by the Communications Department during the preceding month. Cullen Robbins informs the Commission of the Complaints and Outages received for April, 2023.

## **STATE 911 DEPARTMENT**

**911-019/PI-118:** In the Matter of the Nebraska Public Service Commission, on its own motion, to implement provisions of LB 1222 [2206] and to establish a permanent funding mechanism for Enhanced Wireless 911 service; and

**911-073/PI-232:** In the Matter of the Nebraska Public Service Commission, on its own motion, to consider recommendations of the

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Service System Advisory Committee for creation of a new funding system for Next Generation 911. Motion made by Commissioner Eric Kamler, seconded by Commissioner Christian Mirch to enter an Order authorizing PSAP payments. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## NATURAL GAS DEPARTMENT

**E-2512:** In the Matter of the Application of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Boone County. to enter an order granting the application; and

**E-2513:** In the Matter of the Application of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Platte County. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler to enter an order granting the application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## TRANSPORTATION DEPARTMENT

**B-1702.01:** In the Matter of the Application of Fremont Cab Services, LLC, Fremont, seeking revocation and cancellation of its Certificate of Public Convenience and Necessity issued in Docket B-1702. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to enter Order Granting Cancellation of Certificate B-1702. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1808.01:** In the Matter of the Application of Handivan Transports, Inc., Papillion, seeking suspension of its Certificate of Public Convenience and Necessity until January 1, 2024. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter Order Granting Suspension in Docket B-1808 until January 1, 2024. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1897.01:** In the Matter of the Application of Stutheit Transportation Services, Inc., Papillion, seeking suspension of its Certificate of Public Convenience and Necessity until January 1, 2024. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter Order Granting Suspension in Docket B-1897 until January 1, 2024. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1901.01:** In the Matter of the Application of Mike's Handy Van, LLC, Lincoln, seeking to extend its authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van, sedan, and electric vehicles in open class service between all points in Nebraska over irregular routes; and seeking recognition of a

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name change to Safe & Reliable Transportation Services. HHS Designation: Yes. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch to enter Order Granting Authority Extension as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2069:** In the Matter of the Application of A-Life Home Health Care Services, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in open class service by van, sedan, and SUV between points in Dodge, Douglas, Sarpy, and Saunders Counties, and between said counties over irregular routes. HHS Designation: Yes. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler to enter Order Granting Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2073:** In the Matter of the Application of @ Your Service, LLC, Des Moines, Iowa, seeking authority as a contract carrier between all points in Nebraska over irregular routes pursuant to a contract with the University of Nebraska Medical Center. HHS Designation: No. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter Order Granting Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1351.02r:** In the Matter of the Application of Midwest Special Services, Inc., Curtis, 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 to enter Order Granting Emergency Request. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1582.04r:** In the Matter of Action Taxi & Limo, Inc., Sioux City, 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 Tim Schram, seconded by Commissioner Kevin Stocker to enter Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1902.04r:** In the Matter of the Application of AA Cabbies, Inc., d/b/a Siouxland Taxi, Sioux City, 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 Tim Schram, seconded by Commissioner Christian Mirch to enter Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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**B-2022.03r:** In the Matter of the Application of Lifeline Transportation, Inc. d/b/a Lifeline Transportation, Omaha, seeking to amend its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter Order Granting Rates on Emergency Basis. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2025.02r:** In the Matter of the Application of FADI, LLC, Bennington, 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 Tim Schram, seconded by Commissioner Christian Mirch to enter Order Granting Rates on an Emergency Basis. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## LEGISLATIVE

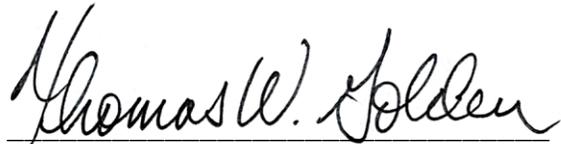
Discussion on pending legislation. No Motion was made.

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The meeting adjourned at 10:31 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 16, 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 15, 2023.



Chair



Executive Director