

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

August 20, 2024

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Notice was duly published August 9, 2024 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 August 20, 2024 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Commissioner Dan Watermeier called the regularly scheduled meeting to order at 10:03 a.m. with Commissioners Tim Schram, Christian Mirch, Eric Kamler and Kevin Stocker 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 comment was offered. No announcements were made.

Attention was called to the following proceedings:

COMMUNICATIONS DEPARTMENT

C-5564/ PI-250: In the Matter of the Nebraska Public Service Commission, on its own motion, to review and consider modifications to the Commission's service outage reporting requirements. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order releasing Revised Proposed Policy and Notice of Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5565/ NUSF-142: In the Matter of the Application of TruConnect Communications, Inc., Los Angeles, California, seeking designation as an Eligible Telecommunications Carrier in the State of Nebraska for the Limited Purpose of Providing Lifeline and NTAP Service to Qualifying Customers. Motion made by Commissioner Kevin Stocker, 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-5598: In the Matter of the Application of Isaac Samuelson, Polk, seeking authority to receive advanced telecommunications capability service from the Hordville Exchange of the Hamilton Telephone Company. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker, to enter an Order granting the application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-37.443: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Syndeo, LLC, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order dismissing NUSF Remittance Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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Working Assets Funding Service, Inc., and GoDaddy.com, LLC: Cullen Robbins seeks Commission approval to amend the current Complaint against Working Assets Funding Service and, to open a Complaint against GoDaddy.com, LLC. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

STATE 911 DEPARTMENT

911-077/C-5581/PI-252: In the Matter of the Nebraska Public Service Commission, on its own motion, conducting an investigation into 911 service outages occurring in areas of Nebraska served by Lumen and its affiliates. Motion made by Commissioner Christian Mirch, seconded by Commissioner Tim Schram to enter an Order expanding the Lumen investigation. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

NG-101.1: In the Matter of the Commission, on its own motion, opening an investigatory docket for the purpose of general monitoring of issues regarding the natural gas industry and jurisdictional utilities in Nebraska. Black Hills/Nebraska Gas Utility Company, LLC, and Black Hills Gas Distribution, LLC, d/b/a Black Hills Energy. to enter assessment order CD-5;

NG-101.2: In the Matter of the Commission, on its own motion, opening an investigatory docket for the purpose of general monitoring of issues regarding the natural gas industry and jurisdictional utilities in Nebraska. NorthWestern Corporation d/b/a NorthWestern Energy. to enter assessment order CD-3;

NG-112.3: In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a 2024 Systems Safety and Integrity Rider. to enter assessment order CD-3;

NG-115.1: In the Matter of the Commission, to conduct a management review of gas supply schedules implemented by NorthWestern Energy Public Service Corporation d/b/a NorthWestern Energy, Sioux Falls, South Dakota, pursuant to Neb. Rev. Stat. § 66-1854. to enter assessment order BW-5; and

NG-122: In the Matter of NorthWestern Energy Public Service Corporation d/b/a NorthWestern Energy, Sioux Falls, South Dakota, seeking approval of a natural gas general rate increase for Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter assessment order CD-2. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

HOUSING DEPARTMENT

MANF-17: In the Matter of the Commission, on its own Motion, seeking to determine the seal fee amount for the Manufactured Home Program. to

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enter an Order setting a Hearing for Tuesday, October 8, 2024, at 11:30 a.m. in the Commission Hearing Room, Lincoln;

MODF-18: In the Matter of the Commission, on its own Motion, seeking to determine the seal fee amount for the Modular Housing Program. to enter an Order setting a Hearing for Tuesday, October 8, 2024, at 11:30 a.m. in the Commission Hearing Room, Lincoln; and

RVF-18: In the Matter of the Commission, on its own Motion, seeking to determine the fees for the Recreational Vehicle Program. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler to enter an Order setting fees a Hearing for Tuesday, October 8, 2024, at 11:30 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

B-1822.01: In the Matter of the Nebraska Public Service Commission, on its own motion, to require Executive Coach, LLC, Paxton, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. to enter an Order to Show Cause and Schedule Hearing;

B-1948.03: In the Matter of the Nebraska Public Service Commission, on its own motion, to require Careem Transportation, LLC, Omaha, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. to enter an Order to Show Cause and Schedule Hearing; and

B-1993.02: In the Matter of the Nebraska Public Service Commission, on its own motion, to require Dak Family Transportation, LLC, Lincoln, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. Motion made by Commissioner Christian Mirch, seconded by Commissioner Tim Schram to enter an Order to Show Cause and Schedule Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2114: In the Matter of the Application of Karaoke Kruzin, LLC d/b/a Karaoke Kruzin seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by Bus in Special Party and Charter services, in and between points in Burt, Washington, Douglas, Sarpy, Cass, Otoe, Cumming, Dodge, Saunders, Lancaster, Stanton, Colfax, Butler, and Seward counties over irregular routes. HHS Designation: No. Motion made by Commissioner Eric Kamler, 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.

TNC-2: In the Matter of the Commission, on its own motion, seeking to determine the annual fee for Transportation Network Companies. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order Scheduling Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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B-2002.01r: In the Matter of the Application of Oceans Enterprise, LLC d/b/a Oceans Drive Transportation, Omaha, 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 Eric Kamler to enter an Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2110.01r: In the Matter of the Application of Venus Home Care, LLC d/b/a Venus Transportation, Omaha, 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 Christian Mirch, seconded by Commissioner Tim Schram to enter an Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2112.01r: In the Matter of the Application of Cheve, LLC, Omaha, 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 Christian Mirch, seconded by Commissioner Tim Schram to enter an Order Granting Rates on an Emergency Basis. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker voting NAY.

LEGISLATIVE AGENDA

Discussion on pending legislation.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve Joshua Smith to travel to and attend the FRA Fundamentals Training in Pueblo, Colorado, from September 9, 2024 to September 13, 2024, with all expenses to be paid by the Commission. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Executive Director's recommendation to approve Joshua Smith to travel to and attend the FRA Recurrent Training in Pueblo, Colorado from September 16, 2024 to September 20, 2024 with all expenses to be paid by the Commission. 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.

Executive Director's recommendation to approve Dillon Keiffer-Johnson to travel to and attend the FRA Conference in Pueblo, Colorado from September 16, 2024 to September 20, 2024 with all other expenses to be paid by the Commission. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker. Motion passed with

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

Executive Director's recommendation to approve Maria Rowan to travel to and attend the FRA Conference in Pueblo, Colorado from September 16, 2024 to September 20, 2024 with all expenses to be paid by the Commission. 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.

Executive Director's recommendation to approve James Almond to travel to and attend the Kansas NENA/APCO Conference in Wichita, Kansas from September 22, 2024 to September 25, 2024 using a state vehicle and with all other expenses to be paid by the Commission. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Executive Director's recommendation to purchase a 2025 Chevy Trailblazer to replace the vehicle used by the MP&E Inspector in the Transportation Department. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram. Motion passed with Commissioners Eric Kamler, Kevin Stocker and Dan Watermeier voting AYE, and Commissioners Christian Mirch and Tim Schram voting NAY.

Executive Director's recommendation to upgrade and replace the audio equipment in the Commission Hearing room. Motion made by Commissioner Eric Kamler, seconded by Commissioner Dan Watermeier to upgrade and replace audio equipment in the Commission Hearing room through Bizco Technologies. Motion passed with Commissioners Eric Kamler, Tim Schram and Dan Watermeier voting AYE, Commissioner Christian Mirch voting NAY, and Commissioner Kevin Stocker present not voting.

The meeting adjourned at 10:56 a.m. with Commissioners Tim Schram, Dan Watermeier, Eric Kamler, Christian Mirch, and Kevin Stocker present. The next regularly scheduled meeting will be held on September 10, 2024 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on September 9, 2024.


Chair


Executive Director