

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

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Notice was duly published October 4, 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 October 8, 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 10:00 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-5484: In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Nebraska Broadband Bridge Program in the 2023 program year. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order granting Motion to return funds. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5580: In the Matter of the Application of Richard Bruening, St. Helena, seeking authority to receive telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc. to enter an Order granting application;

C-5587: In the Matter of the Application of Randy Bruening, St. Helena, seeking authority to receive telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc. to enter an Order granting application;

C-5588: In the Matter of the Application of Jon and Janet Wiechelman, Crofton, seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc. to enter an Order granting application; and

C-5593: In the Matter of the Application of Roger Albin, Crofton, seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc. Motion made by Commissioner Christian Mirch, seconded by Commissioner Tim Schram to enter an Order granting the application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5594: In the Matter of the Application of Claudette Wiepen, St. Helena, seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler to enter an Order granting the request to

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

C-5604: In the Matter of the Application of Charles and Tara Mundt, Alan and Tamara Merchant, Brenda Raile, Brian and Karen Helmberger, Bryce Feldman, Della Sawyer, Donna Sautter, Jacob Simmons, Jim Reynolds, Joshua Lueders, Julie Wetherington, Karl Keller, Mark Klute, Rick Stueven, Roger Lange, and Tim Spires, Marquette, each 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-131, PO #3: In the Matter of the Nebraska Public Service Commission, on its own motion, to establish reverse auction procedures and requirements. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order Nunc Pro Tunc. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-133, PO #1: In the Matter of the Nebraska Public Service Commission, on its own motion, to implement standards for the verification of broadband service provider coverage and speed data. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order revising speed testing requirements. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-139: In the Matter of the Nebraska Public Service Commission, on its own Motion, to consider appropriate modifications to the high-cost distribution and reporting mechanisms in its Universal Service Fund program in light of federal and state infrastructure grants. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order to schedule a workshop for October 23, 2024 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.

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 September, 2024.

TRANSPORTATION DEPARTMENT

B-2100: In the Matter of the Application of Comfort Care Services, LLC d/b/a Comfort Care Non-Emergency Medical Transport, Bennington, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in open class service by sedan,

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SUV, and van in and between points in Douglas, Sarpy, Lancaster, Washington, Dodge, Saunders, and Cass counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: Yes. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Dismissing Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2109: In the Matter of the Application of Doing Time Transportation, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by van between all points in Nebraska over irregular routes. HHS Designation: No. Motion made by Commissioner Eric Kamler, seconded by Commissioner Christian Mirch to enter an Order Scheduling Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

ML-62: In the Matter of the Application of DJS Moving LLC dba Island Moving, Phillips seeking a license to provide household goods moving services in Nebraska intrastate commerce between all points in Nebraska over irregular routes. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order Granting License. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Report on Motor Transportation Complaints and Railroad complaints received by the Department during the preceding Month. Dillon Keiffer-Johnson informs the Commission of the Complaints received for September, 2024.

RULES AND REGULATIONS

R&R 211: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to amend Title 291, Chapter 3, Motor Carrier Rules and Regulations, to adopt rules modifying driver requirements for licensees transporting employees of railroad carriers. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order Adopting Proposed Rules and Issuing Certificate of Adoption. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve Sallie Dietrich to travel to and attend the 2024 NARUC Annual Meeting and Education Conference in Anaheim, California, from November 9, 2024 to November 13, 2024, with all expenses to be paid by the Commission. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram. 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 10:28 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 October 16, 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 October 15, 2024.



Chair



Executive Director