

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

October 16, 2024

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Notice was duly published October 11, 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 16, 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, Eric Kamler and Kevin Stocker present in the Commission Hearing Room, and Commissioner Christian Mirch appearing virtually. 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-5069/ PI-226: In the Matter of the Nebraska Public Service Commission, on its own motion, to implement LB 641 [2019]. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order opening 211 Grant application window on October 17, 2024, due on or before December 17, 2024. 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 Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Nunc Pro Tunc. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5606: In the Matter of Arlington Telephone Company, The Blair Telephone Company, Eastern Nebraska Telephone Company and Rock County Telephone Company, Overland Park, Kansas, seeking a waiver of 291 Neb. Admin. Code § 5-002.22A, § 5-010.09, and § 10-006.07, in order to provide customer directories digitally rather than through paper printing. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order Granting Waiver of Commission Regulations. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSE-32.21: In the Matter of the Nebraska Public Service Commission, on its own Motion, seeking to conduct an inquiry into the failure by

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certain telecommunications companies to comply with Commission Rules or Orders and to impose administrative fines. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order sustaining the Show Cause and imposing penalties. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-92: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order opening wireless fund grant cycle. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

STATE 911 DEPARTMENT

911-078/ DC-104/ C-5596: In the Matter of David Sankey, Director of the State 911 Department of the Nebraska Public Service Commission, Complainant, v. Windstream Nebraska, 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, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

B-1986.03: In the Matter of Recommended Care Solutions, LLC, d/b/a MedCare Mobility, Omaha, seeking voluntary cancellation and revocation of its Certificate of Public Convenience and Necessity in Docket B-1986. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Granting Cancellation of Certificate No. B-1986. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2116: In the Matter of the Application of McKeever Ride Share, LLC d/b/a McKeever Ride Share, Hubbard, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Special Party service by bus within and between points in Dixon, Dakota, Wayne, Thurston, Cuming, Burt, Dodge, Washington, Douglas, Sarpy, Saunders, Lincoln, Cass, Lancaster, and Otoe counties over irregular routes. HHS Designation: No. 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.

B-2123: In the Matter of the Application of ZOGAR Wheels, LLC, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by van between all points in Nebraska over irregular routes, pursuant to a contract with the Nebraska Department of Health and Human Services,

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a medicaid-managed care organization under contract with NDHHS, or another agent working on behalf of NDHHS. HHS Designation: Yes. 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.

B-2124: In the Matter of the Application of Omaha Medical Transportation Services, LLC, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by sedan, van, and SUV, between points in and between Douglas and Sarpy Counties over irregular routes, pursuant to a contract with the Nebraska Department of Health and Human Services, a medicaid-managed care organization under contract with NDHHS, or another agent working on behalf of NDHHS. HHS Designation: Yes. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Granting Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2126: In the Matter of the Application of LRMoore, LLC d/b/a Love Thy Neighbor Senior Care, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by sedan, van, and SUV in and between Douglas, Sarpy, and Washington counties over irregular routes. HHS Designation: Yes. 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.

B-2087.01r: In the Matter of the Application of Good Time Party Bus MX, LLC, Bellevue, 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.

GRAIN DEPARTMENT

GW-1013: In the Matter of the Application of Bruning Grain & Feed Co., Inc., Bruning, Nebraska, requesting a deductible on its stock insurance higher than \$10,000. 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.

GW-22 et al.: In the Matter of the attached list of completed grain warehouse license renewals for 3rd Quarter of 2024. Terri Fritz reports on the 3rd Quarter grain warehouse renewal licenses.

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GD-2061: In the Matter of Colon Elevator Co., Colon Nebraska: Terri Fritz reports that the grain dealer license was canceled as of October 2, 2024.

GD-22 et al.: In the Matter of the attached list of completed grain dealer license renewals for the 3rd Quarter of 2024. Terri Fritz reports on the 3rd Quarter grain dealer renewal licenses.

RULES AND REGULATIONS

R&R 212: In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 8, Grain Warehouse and Grain Dealer Rules and Regulations for general cleanup and updates and to comply with Nebraska Legislative Bill 262 (2024). Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order Setting Public Hearing on Thursday, November 7, 2024, at 10:00 a.m. in the Commission Hearing Room. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

The meeting adjourned at 10:19 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 29, 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 28, 2024.

Chair

Executive Director