

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

December 10, 2024

Page 1

Notice was duly published December 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 December 10, 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, Christian Mirch, 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-5611:** In the Matter of the Application of Sandra Roes, Hemingford, seeking authority to receive advanced telecommunications capability service from the Hemingford Exchange of Hemingford Cooperative Telephone Company;

**C-5612:** In the Matter of the Application of Curtis Nixon, Hemingford, seeking authority to receive advanced telecommunications capability service from the Hemingford Exchange of Hemingford Cooperative Telephone Company;

**C-5613:** In the Matter of the Application of Scott and Caitlin Schaefer, Hemingford, seeking authority to receive advanced telecommunications capability service from the Hemingford Exchange of Hemingford Cooperative Telephone Company;

**C-5614:** In the Matter of the Application of Nancy Nixon, Hemingford, seeking authority to receive advanced telecommunications capability service from the Hemingford Exchange of Hemingford Cooperative Telephone Company; and

**C-5615:** In the Matter of the Application of Rick and Betsy Horstman, Hemingford, seeking authority to receive advanced telecommunications capability service from the Hemingford Exchange of Hemingford Cooperative Telephone Company. 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.

**CPF-1:** In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the federal Capital Projects Funds for broadband development in Nebraska. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order granting Vistabeam an Extension of Project Deadline for the Oshkosh Fiber Project. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

---

Minutes

December 10, 2024

Page 2

**CPF-1:** In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the federal Capital Projects Funds for broadband development in Nebraska. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order granting Skywave an Extension of Project Deadline for the Cuming County Area 1 Project. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**CPF-1:** In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the federal Capital Projects Funds for broadband development in Nebraska. Motion made by Commissioner Christian Mirch, seconded by Commissioner Tim Schram to enter an Order granting Spectrum Mid-America, LLC a/k/a Charter, an Extension of Project Deadline for the Lancaster County Project. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**CPF-1:** In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the federal Capital Projects Funds for broadband development in Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order granting CenturyLink a/k/a Lumen, an Extension of Project Deadline for the McLean, West Point, and Clarkson Projects. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**CPF-1:** In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the federal Capital Projects Funds for broadband development in Nebraska. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order granting Northeast Nebraska Telephone Company an Extension of Project Deadline for the Butler County Project. 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 November, 2024.

## TRANSPORTATION DEPARTMENT

**B-2063:** In the Matter of the Application of Hands Across Nebraska, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by SUV between all points in Nebraska 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. to enter an Order Dismissing Application;

**B-2103:** In the Matter of the Application of Catch a Cab, LLC, d/b/a Catch a Cab, Kearney, seeking authority as a common carrier in

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

---

Minutes

December 10, 2024

Page 3

Nebraska intrastate commerce in the transportation of passengers in taxicab service by SUV in and between points in Adams, Buffalo, and Hall, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: No. to enter an Order Dismissing Application; and

**B-2104:** In the Matter of the Application of Cosmos Coaches, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by Bus in Charter service between all points in Nebraska over irregular routes. HHS Designation: No. Motion made by Commissioner Kevin Stocker, 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-2091:** In the Matter of the Application of God's Will Trans, Lincoln, 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 all points in Nebraska 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 Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order Denying Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2096:** In the Matter of the Application of Happy Moments Home Healthcare, LLC, 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 points in Douglas, Sarpy, Cass, Washington, Polk, Dodge, Cheyenne, Gage, York, Lincoln, Grant, Burt, Boyd, Colfax, Holt, Butler, Franklin, Howard, Dawes, and Scotts Bluff counties over irregular routes. 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-2133:** In the Matter of the Application of Peaceful Ride, LLC, 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, between all points in Nebraska over irregular routes. HHS Designation: Yes. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order Granting Application as Amended. 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 Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Setting Fee. Motion passed with Commissioners Eric

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

---

Minutes

December 10, 2024

Page 4

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

**B-1901.02r:** In the Matter of the Application of Mike's Handy Van, LLC, Lincoln, 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 an Order Dismissing Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

Notification of enforcement action against Triple D Car Service.

## GRAIN DEPARTMENT

**GW-1119:** In the Matter of the Application of Trotter, Inc., Arcadia, Nebraska requesting a deductible on its stock insurance higher than \$10,000. Motion made by Commissioner Kevin Stocker, 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.

**GD-3067/GDC-460:** In the Matter of Terri Fritz, Grain Director, Grain Warehouse Department, Nebraska Public Service Commission, Complainant, v. Home City Grain, Inc., Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler Terri Fritz requests Commission approval to open Complaint against Home City Grain, Inc. 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 a contract with Bates White, LLC to provide natural gas consulting services. 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 Commissioner Kevin Stocker to travel to and attend the MARC Commissioners Only Summit in Oklahoma City, Oklahoma from January 9, 2025 to January 11, 2025 with lodging expenses to be paid by MARC and all other travel costs to be reimbursed by MARC. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker present not voting.

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

---

Minutes

December 10, 2024

Page 5

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The meeting adjourned at 10:18 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 December 17, 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 December 16, 2024.

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Chair

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Executive Director

PRELIMINARY