

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

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Notice was duly published December 6, 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 17, 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. Public comment was offered by John Zimmer. No announcements were made.

Attention was called to the following proceedings:

## **COMMUNICATIONS DEPARTMENT**

**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 Extension of Completion Deadline for Cuming County Area 2 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 Eric Kamler to enter an Order Granting Extension of Project Deadline for the Seward 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 Christian Mirch to enter an Order Granting Extension of Project Deadline for the Adams and Denton Projects. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**NUSF-37.451:** Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Net2Phone 2.0 America, Inc., Respondent. to enter an Order dismissing the Complaint; and

**NUSF-37.454:** Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Ooma, Inc., Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order dismissing the

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

**NUSF-108:** In the Matter of the Nebraska Public Service Commission, on its own Motion, to make adjustments to its high-cost distribution mechanism and to make revisions to its reporting requirements. Motion made by Commissioner Christian Mirch, seconded by Commissioner Tim Schram to enter an Order granting Great Plains Communications, LLC's Motion for Leave to redirect BDS allocation. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## NATURAL GAS DEPARTMENT

**NG-112.4:** In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a 2025 Systems Safety and Integrity Rider. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an order approving the 2025 SSIR Charge. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**P-13.27:** In the Matter of Metropolitan Utilities District of Omaha d/b/a Metropolitan Utilities District providing notice required by Neb. Rev. Stat. § 66-1863, as amended, that it intends to extend or enlarge its service area or extend a gas main. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an order closing the docket. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**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-7; and

**NG-112.4:** In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a 2025 Systems Safety and Integrity Rider. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter assessment orders CD-6 and CD-7. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**E-2537:** In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster County. Motion made by Commissioner Kevin Stocker, 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.

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## TRANSPORTATION DEPARTMENT

**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 Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order Sustaining Show Cause and Revoking Certificate B-1993. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2118:** In the Matter of the Application of Long Drive Luxury Shuttle, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Limousine service by van in and between points in Douglas, Sarpy, Lancaster, Buffalo, and Hall counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: No. Motion made by Commissioner Tim Schram, 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-2128:** In the Matter of the Application of Zum Services, Inc., Redwood City, California, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by charter or special party bus service using vehicles with a capacity of fifteen (15) or greater passengers in and between points in Adams, Antelope, Boone, Boyd, Brown, Burt, Butler, Cass, Cedar, Clay, Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Fillmore, Franklin, Gage, Hall, Hamilton, Harlan, Holt, Jefferson, Johnson, Kearney, Knox, Lancaster, Madison, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Pierce, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, Webster, and York counties over irregular routes. HHS Designation: None. 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.

**B-2134:** In the Matter of the Application of Medigo, LLC, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by wheelchair accessible 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 Tim Schram, 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.

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**B-2138:** In the Matter of the Application of Meba Logistics, LLC, d/b/a Meba Logistics, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by SUV in and between Cass, Douglas, Sarpy, Saunders, and Washington counties over irregular routes. HHS Designation: Yes. 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.

**PI-253:** In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the operations of The Driver Full Circle, Omaha, Nebraska, and the company's status as a private carrier. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order Issuing Findings and Closing Investigation. Motion passed with Commissioners Christian Mirch, Tim Schram and Kevin Stocker voting AYE, and Commissioners Eric Kamler and Dan Watermeier voting NAY.

**In the Matter of the 2024 Annual Report to the Legislature on the status of the Implementation of LB-629 (2015):** Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to approve filing the 2024 Annual Report to the Legislature on the status of the implementation of LB-629 (2015). Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**MR-1023/PI-234/B-1322.01r:** In the Matter of the Application of Limo One, Inc., d/b/a Old Market Limousine, Papillion, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. to enter an Order Granting Rates on an Emergency Basis;

**MR-1023/PI-234/B-1624.01r:** In the Matter of the Application of Windstar Lines, Inc., Carroll, Iowa, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. to enter an Order Granting Rates on an Emergency Basis;

**MR-1023/PI-234/B-1640.01r:** In the Matter of the Application of VIP Limousine, LLC d/b/a VIP Limousine, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. to enter an Order Granting Rates on an Emergency Basis;

**MR-1023/PI-234/B-1665.03r:** In the Matter of the Application of James Blundell, d/b/a M & G Taxi, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. to enter an Order Granting Rates on an Emergency Basis;

**MR-1023/PI-234/B-1861.04r:** In the Matter of the Application of Nebraska Metro Transportation, d/b/a Metro Sedan & Limousine Services, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. to enter an Order Granting Rates on an Emergency Basis; and

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**MR-1023/PI-234/B-1942.01r:** In the Matter of the Application of Big A Holdings, LLC d/b/a OmaLink, 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 Granting Rates on an Emergency Basis. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Report on Motor Transportation and Railroad Complaints received by the Department during the Month of November, 2024.

## LEGISLATIVE

Discussion on pending legislation. No Motion was made.

## GENERAL ADMINISTRATION

Executive Director's recommendation to approve Commissioner Tim Schram 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 expenses to be reimbursed by MARC. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

Executive Director's recommendation to approve Commission Dan Watermeier 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 expenses 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, Kevin Stocker and Dan Watermeier voting AYE.

Executive Director's recommendation for the Commission to enter into a contract with 911 Authority, LLC for the purposes of Independent Verification and Validation of the Next Generation 911 System provided by Lumen. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

Executive Director's recommendation to approve the Commission Meeting minutes for November 2024. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

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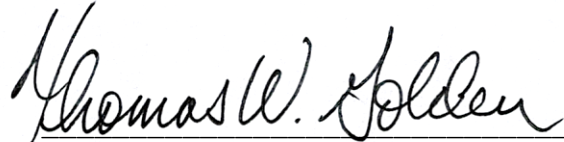
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The meeting adjourned at 10:34 a.m. with Commissioners Tim Schram, Dan Watermeier, Eric Kamler, Christian Mirch, and Kevin Stocker present. The next regularly scheduled meeting will be held on January 7, 2025, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on January 6, 2025.



Chair



Executive Director