

# PSC DEPARTMENT DIGEST

Nebraska Public Service Commission  
March 2025  
Edition 23 /Volume 23

## PSC Closes Lumen Investigation and Issues Findings

The Nebraska Public Service Commission has closed its investigation and issued its findings ( [911-075/PI-248](#), [911-077/C-5581/PI-252](#) ) into three separate 911 outages/disruptions involving telecommunications carrier Lumen.

The three separate outage/disruptions occurred on August 31, 2023, April 17, and July 9, 2024, impacting service over a wide area of Lumen's Nebraska network.

Through its investigation and hearings, the Commission found that Lumen's level of performance was not acceptable for Nebraska's 911 system and that the carrier failed to meet the level of service (five-nines) provided within its state contract.

In its Order, the Commission directed the State 911 department to identify potential changes to the state's current 911 system. To support that process, Commission consultant 911 Authority has begun independent verification and validation testing of the Next Generation 911 system provided by Lumen.

*"The independent testing underway is important to determine whether Lumen is capable of fulfilling its contractual obligations to provide the level of service expected and demanded moving forward," State 911 Director, David Sankey.*

Additional information, including the Order can be found on the PSC website at < <https://psc.nebraska.gov/lumen-affiliates-911-outage-investigation> >.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION	
BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION	
In the Matter of the Nebraska Public Service Commission, on its own motion, conducting an investigation into the 911 service outage that began on August 31, 2023 in areas of Nebraska served by Lumen and its affiliates.	) Application No. 911-075/PI-248
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.	) Application No. 911-077/C-5581/PI-252
	) ORDER ISSUING FINDINGS AND CLOSING INVESTIGATION
	) Entered: January 14, 2025

## Commission Elects 2025 Leadership

Third district Commissioner Tim Schram of Gretna will serve as Commission Chair for 2025.

First elected to the Commission in 2006, Schram is serving his fourth term representing the third district which includes Sarpy, Saunders and western Douglas Counties in eastern Nebraska.

Commissioner Kevin Stocker of Scottsbluff was chosen Vice-Chair. A Commissioner since 2022, he represents the fifth district comprised of 51 counties encompassing greater Nebraska.

Elected on an annual basis, Commissioners voted on leadership positions during their January 7, meeting.



**Commissioner Tim Schram**  
Dist. 3, Chair



**Commissioner Kevin Stocker**  
Dist. 5, Vice-Chair

## PSC Commissioners & Staff Attend NARUC Winter Policy Summit



Washington DC was the sight of the annual National Association of Regulatory Utility Commissioners (NARUC) Winter Policy Summit. The Winter Summit serves as a platform for NARUC members to discuss and exchange information on the latest developments related to utility regulations.

As part of this year's event, the NARUC Committee on Telecommunications chaired by PSC Commission Chair Tim Schram, held a panel discussion on Communication and Coordination between Utilities and Broadband Providers During New Broadband Deployment. Panel members discussed different states and their approaches to utilizing 811 and the rollout of BEAD funding placing a renewed importance on communication and coordination with out-of- state contractors.

An appearance by Georgia's 811 mascot Digger Dog served to drive home the important role 811 plays in the safe deployment of broadband.

## 911 Statutes Aligned as LB 362 is Signed into Law

In late January, the Commission provided testimony before the Transportation and Telecommunications Committee on [LB 362](#). Sponsored by Senator Wendy DeBoer, the bill is clean-up legislation that ensures Nebraska's 911 statutes are consistent and aligned with current practices.

PSC State 911 department Director Dave Sankey provided testimony in support of the bill as did representatives on behalf of the Sheriffs and Police Associations, the Nebraska Association of County Officials (NACO) and the Nebraska Telecommunications Association (NTA).

The bill was advanced out of the TNT Committee to the floor, where senators quickly moved the bill without opposition. LB 362 was passed by the legislature and signed into law by the Governor in March and will take effect 90 days after the end of the legislative session.



## PSC Testifies Before the TNT Committee

Commissioners and staff provided testimony in February and March on several bills before the Legislatures Transportation and Telecommunications (TNT) Committee. Four of the bills dealt with telecommunications and six bills focused on transportation and railroad legislation.

Commissioners testified in opposition of both [LB 4](#), and [LB 311](#). Brought by Senator Bosn LB 4 would establish the Telecommunications Exchange Deregulation Act. While LB 311 a Senator DeBoer bill aims to clarify regulatory authority for broadband internet access service in Nebraska. Commissioners offered to continue to work with both senators to find a more fine-tuned approach to the legislation.

Testimony was also provided in the neutral capacity on [LB 666](#) and [LB 176](#). Proposed by Senator Storer, LB 666 would make a simple change to the Rural Communications Sustainability Act passed by the legislature in 2023. LB 176, brought by Senator Hughes would amend the Broadband Bridge Act to require applicants to obtain a resolution of project support from every county, city, and village in the project area. The Commission provided background on the application process and how the bill might affect it.



## TNT Committee Testimony Continued...

Bills dealing with transportation included [LB 347](#), [LB 227](#), [LB 465](#) and [LB 444](#). LB 347, from Senator Prokop received testimony from the Commission in support of the measure which eliminates a section of statute requiring common carriers to obtain authorization from the PSC prior to issuing certain securities. Support was also provided on LB 227 brought by Senator DeBoer. Among other things, the bill would revise who has the burden of proof when transportation carriers apply with the PSC to operate as a common carrier. Testimony was also provided in support of [LB 37](#) and [LB 128](#) both dealing with railroad safety.

Opposition testimony was provided on LB 465 proposed by Senator Bosn. This measure if passed would remove the requirement for Uber, Lyft and other Transportation Network Companies (TNC) to complete annual vehicle inspections.

The Commission took a neutral stance on LB 444 brought by Senator Dungan. The bill would increase the minimum insurance requirements for rail crew transport carriers.

*Note: To check the status of bills, visit <https://nebraskalegislature.gov/> and search by bill number.*



## PSC Awards Nebraska Broadbridge Bridge Program Grants

Twenty-one grants totaling more than \$20 million were awarded by the Nebraska Public Service Commission from the Nebraska Broadband Bridge Program (NBBP). This is the 4<sup>th</sup> grant cycle administered by the Commission through the grant program.

During the 2024 grant cycle, the Commission received 27 applications for funding through the NBBP. Upon review of the applications and the challenges received the Commission determined 21 submissions would be funded. The grants awarded, submitted by four providers, totaled \$20,135,599. The awardees have until July 14, 2026, to complete their projects.

Through the four years of the program, the Commission has awarded over 140 grants, bringing broadband to more than 18,000 households.

"The Nebraska Broadband Bridge Program has proven to be an effective tool to help bring broadband to unserved and underserved Nebraskans," said Commission Chair Tim Schram.

Created by the Nebraska Broadband Bridge Act (Neb. Rev. Stat § 86-301 to 86-1310) the NBBP provides approximately \$20 million annually for the development of broadband networks capable of at least 100/100 Mbps (down/up) in unserved and underserved areas of the state.

## Commission Receives PRO-AG Grant Applications

Thirty-one applications have been received for the 2024/25 Precision Agriculture Infrastructure Grant (PRO-AG) program.

Created through the Precision Agriculture Infrastructure Grant Act, PRO-AG provides approximately \$1 million per year in funding to accelerate rural economic development by helping provide connectivity and supporting technology to farm sites in rural areas of Nebraska.

The PRO-AG program is divided into two distinct subprograms: Connectivity, and Devices and Technology. Each subprogram is designed to fulfill a specific purpose. Applicants were able to submit multiple project proposals but were required to apply separately for each subprogram. The full funding amount was not awarded during the 2023/24 grant cycle, and unawarded funding was carried over to the 2024/25 grant cycle. As a result, the amount of funding for each of the two subprograms \$564,538.85.

PRO-AG grants will be awarded by end of April. To date, the Commission has awarded over \$678,000 in funding through the program.



## Annual Hearing Held On TRS Surcharge

On March 11, the Commission held a public hearing on the Telecommunication Relay Service (TRS) surcharge. The hearing is held annually to determine the amount of the surcharge for the coming year.

The surcharge is utilized to carry out the provisions of the Telecommunications Relay System Act (Neb. Rev. Stat. §§ 86-301 to 86-315) and provides funds to the TRS and the Nebraska Specialized Telecommunications Equipment Program (NSTEP) for the coming year.

During the hearing Commissioners heard testimony from staff on the TRS fund, which included the recommendation to reduce the amount of the surcharge from its current .05 cents down to .04 cents. A letter from the Telecommunication Relay Service (TRS) Committee supporting the surcharge reduction was also submitted at the hearing.

Commissioners will use the information provided to determine the TRS Surcharge amount. If approved, the one-cent reduction in the surcharge would take effect on July 1, 2025.

For more information on the programs visit the TRS/NSTEP page of the PSC website at <  
<https://psc.nebraska.gov/telecommunications-relay-service-trsnebraska-specialized-telecommunications-equipment-program-nstep> >.



# Commissioners Set 2025 Fee Schedule

During their January 28 meeting, Commissioners gave their stamp of approval to the 2025 fee schedule. The Commission collects Administrative fees as well as fees specific to each department.

The 2025 fee schedule took effect immediately. The fee schedule can be found in its entirety and on the PSC website at

<https://psc.nebraska.gov/sites/default/files/doc/2025%20Nebraska%20Public%20Service%20Commission%20Fees.pdf>

NEBRASKA PUBLIC SERVICE  
SCHEDULE OF FEES  
(EFFECTIVE JANUARY 28, 2025)

Administration Fees <sup>1</sup>			
Item	Authority	Fund	Fee
Certified Copies (per copy)	Admin.		\$1.00
Transcript Copies (per page)	Admin.		0.50
Photocopies (per page)	Admin.		0.10
Fax Transmissions (outgoing) (per page)	Admin.		1.50
Returns Check Charge (per check)	Admin.		20.00
ACH Payment Handling Fee	Admin.		25.00
Hearing Fee (half-day)	75-128	General	125.00
Certification of Transcripts	Admin.		25.00
Applications to Change Name	75-128	General	125.00
Applications Not Specified Elsewhere	75-128	General	200.00
Petition for Declaratory Ruling	75-128	General	200.00
Petition for Investigation	75-128	General	250.00
Formal Complaint			
Certificated Carrier	75-128	General	250.00
Consumer	75-128	General	25.00
Securities Issuance			
Issuance less than \$25,000	75-150	General	25.00
Issuance greater than \$25,000	75-150	General	Varies <sup>2</sup>
Annual Report Filing	75-116	General	25.00
New Tariff	75-128	General	25.00
Penalties	75-156	Varies <sup>3</sup>	Varies <sup>4</sup>
Department Fees <sup>5</sup>			
Communications			
Item	Authority	Fund	Fee
Application for Boundary Change			
Certificated Carrier	75-128	General	\$250.00
Consumer	75-128	General	50.00
Automated Dialer Permit	86-250	Silent	500.00
Complaint Handling Processing Fee	Admin.		100.00
New Authority Applications	General	75-128	300.00
Other Applications	General	75-128	200.00
New Tariff	General	75-128	25.00
Communications Provider Registry	86-125	Silent	50.00
Telecommunications Relay Service Late Handling Fee	Admin.		100.00

# Cold Weather Rule Ends March 31

March 31 marks the end of the Commission's Cold Weather Rule. The rule which applies to customers served by the state's [jurisdictional natural gas utilities Black Hills Energy and NorthWestern Energy](#) runs annually from November 1-through March 31.

The Cold weather rule prohibits both Black Hills and NorthWestern from shutting-off service to customers without allowing an additional 30 days to pay beyond the normal bill due date.

"With the cold weather rule coming to an end we encourage customers who may still be experiencing difficulty paying their bill to reach out to their natural gas utility," said Nichole Mulcahy, Director PSC Natural Gas Department.

The PSC implemented the cold weather rule more than 20 years ago, when it was given regulatory authority over the state's jurisdictional natural gas utilities. It is important to note that Nebraska communities with municipally owned natural gas utilities are not subject to regulation by the PSC and are not required to comply with the cold weather rule.



# Synhorst, Mattson Join PSC Team

The Nebraska Public Service Commission is pleased to welcome Taylor Synhorst and Katie Mattson to its team.

Taylor Synhorst joins the State 911 department filling the role of program analyst. After graduating from Lincoln East, Taylor earned his Bachelor of Arts in Economics and Finance from Eastern New Mexico University. Now back in his hometown of Lincoln, he is excited to join the 911 department. When he's not working, Taylor enjoys golfing, staying active with his wife and spending time at home with their two dogs.

With 10 years of experience, Kaite Mattson joins the State 911 department as its Administrative Program Officer. Katie comes to the PSC from Ameritas. A married mom of two, Saoirse (10) and Kylan (6) she works weekends at PetSmart and when she gets free time can be found doing something fun with her kiddos. She also enjoys reading, writing, and is always open to learning something new.



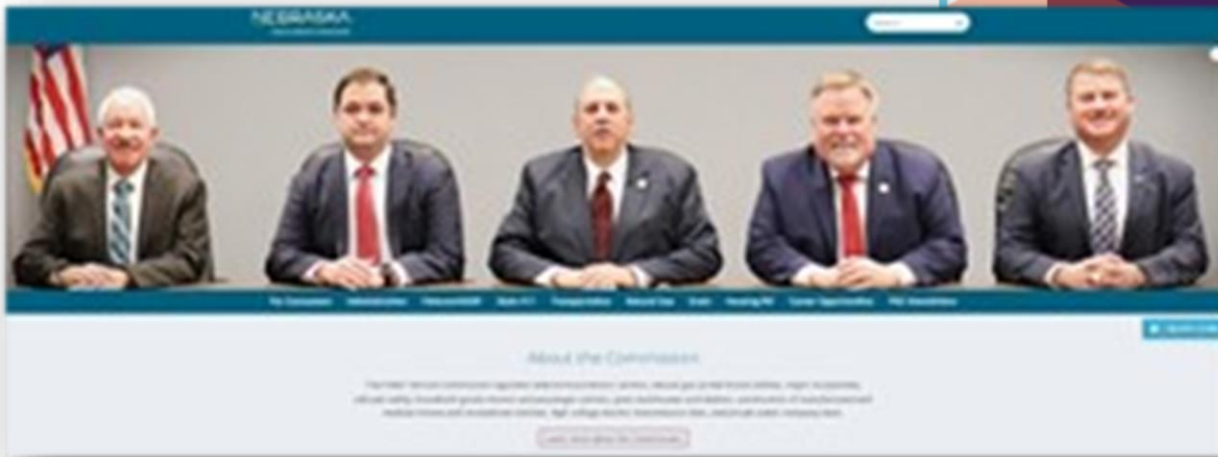
**Taylor Synhorst**  
Program Analyst



**Katie Mattson**  
Administrative Program Mgr



**A "Souper" potluck provided PSC staff with some camaraderie and the resolve to stay warm through the winter months. A shoutout to the social planning committee for organizing and to everyone who provided the soups, sides and desserts.**



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The Nebraska Public Service Commission regulates telecommunications carriers, natural gas jurisdictional utilities, major oil pipelines, railroad safety, household goods movers and passenger carriers, grain warehouses and dealers, construction of manufactured and modular homes and recreation vehicles, high voltage electric transmission lines, and private water company rates.

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The logo for the Nebraska Public Service Commission. The word 'NEBRASKA' is written in a large, bold, blue sans-serif font. A yellow swoosh underline is positioned beneath the letters. Below 'NEBRASKA', the words 'Public Service Commission' are written in a smaller, blue sans-serif font.

NEBRASKA  
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