

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

June 11, 2019

Page 10158

Notice was duly published June 4, 2019 on page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on June 11, 2019 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. Chair Ridder 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 comments were received. No announcements were made.

Attention was called to the following proceedings:

Tuesday, June 11, 2019:

11:00 Commission Hearing Room, Lincoln
C-5042 In the Matter of the Application of Randal Rainforth, Prosser, seeking authority to receive advanced telecommunications service from the Doniphan Exchange of Hamilton Telephone Company. Commissioner Johnson

Tuesday, June 25, 2019:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

COMMUNICATIONS DEPARTMENT

C-5018 In the Matter of the Application of Eugene Griess, Sutton, seeking authority to receive advanced telecommunications service from the Aurora Exchange of Hamilton Telephone Company. Commissioner Rod Johnson presiding as Hearing Officer;

C-5022 In the Matter of the Application of Kevin Rainforth, Doniphan, seeking authority to receive advanced telecommunications service from the Doniphan Exchange of Hamilton Telephone Company. Commissioner Rod Johnson presiding as Hearing Officer;

C-5024 In the Matter of Judy M. Rainforth, Prosser, seeking authority to receive advanced telecommunications service from the Doniphan Exchange of Hamilton Telephone Company. Commissioner Rod Johnson presiding as Hearing Officer;

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

June 11, 2019

Page 10159

COMMUNICATIONS DEPARTMENT (Cont.)

- C-5026 In the Matter of the Application of Patricia Rainforth, Doniphan, seeking authority to receive advanced telecommunications service from the Doniphan Exchange of Hamilton Telephone Company. Commissioner Rod Johnson presiding as Hearing Officer;
- C-5027 In the Matter of the Application of Matthew Oman, Doniphan, seeking authority to receive advanced telecommunications service from the Doniphan Exchange of Hamilton Telephone Company. Commissioner Rod Johnson presiding as Hearing Officer;
- C-5035 In the Matter of the Application of Levi Ochsner, Sutton, seeking authority to receive advanced telecommunications service from the Stockham Exchange of Hamilton Telephone Company. Commissioner Rod Johnson presiding as Hearing Officer; and
- C-5036 In the Matter of the Application of Adam Hayman, Doniphan, seeking authority to receive advanced telecommunications service from the Doniphan Exchange of Hamilton Telephone Company. Commissioner Rod Johnson presiding as Hearing Officer. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter Orders denying Motion for Rehearing for C-5018, C-5022, C-5024, C-5026, C-5027, C-5035 and C-5036. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.
- C-5043 In the Matter of the Application of Access Point, Inc., Cary, North Carolina, seeking authority to cancel its certificate of interexchange authority and tariff. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.
- C-5049 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking Cageless Collocation Bay Procurement Amendment to the Interconnection Agreement with Level 3 Communications, LLC, Broomfield, Colorado. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order approving the amendment to the Interconnection Agreement between Qwest Corporation d/b/a CenturyLink QC and Level 3 Communications, LLC. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

June 11, 2019

Page 10160

COMMUNICATIONS DEPARTMENT (Cont.)

C-5051 In the Matter of the Application of Access Point, Inc., McLean, Virginia, seeking approval of a transfer of control to GC Pivotal, LLC, McLean, Virginia. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-99.44 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: Windstream Nebraska, Inc. Broadband Grant Request. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an Order granting application of the East Hebron project. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-99.49 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: Windstream Nebraska, Inc. Broadband Grant Request. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order granting application of the Ashland RL02 Exchange project. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins discussed the NPSC Late Remittance Policy for the NUSF, TRS and Wireless 911 Funds, seeking Commission approval and adoption. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Crystal Rhoades, to approve the NPSC Late Remittance Policy. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

NG-0078.6 In the Matter of the Application of Black Hills Gas Distribution, LLC d/b/a Black Hills Energy for authority to adjust the System Safety and Integrity charges (2019). Commissioner Rod Johnson presiding as Hearing Officer;

NG-0090.1 In the Matter of Black Hills/Nebraska Gas Utility, LLC, d/b/a Black Hills Energy, Papillion, seeking approval to adjust the surcharge for the Farm Tap Safety Program for the 2018-19 year;

NG-100 In the Matter of the Joint Application of Black Hills Gas Distribution, LLC, and Black Hills/Nebraska Gas Utility Company, LLC, Rapid City, South Dakota, seeking approval to consolidate the Nebraska tariffs, assets, liabilities, and operations of the two companies, and to rename the consolidated entity Black Hills Nebraska Gas, LLC. Commissioner Dan Watermeier presiding as Hearing Officer;

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

June 11, 2019

Page 10161

NATURAL GAS DEPARTMENT (Cont.)

NG-101/
PI-224 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. Commissioner Rod Johnson residing as Hearing Officer; and

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 Energy. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades to enter assessment orders BA-013 in NG-0078.6; BA-007 in NG-0090.1; BA-3 and BA-4 in NG-100; BA-1 in NG-101; and BA-1 in NG-101.1. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

B-1693 In the Matter of the Application of Jason Studer d/b/a Jason's Limousine Service, Superior, seeking to cancel its Certificate of Public Convenience and Necessity issued in Application No. B-1693. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson to enter an order cancelling the certificate. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1990 In the matter of the Application of Meeting & Event Design, Inc., d/b/a Tuk Tuk Omaha, Omaha, Nebraska, seeking authority as a Common Carrier in Nebraska intrastate commerce in the transportation of passengers by low speed vehicle between points in Douglas and Sarpy Counties and points between said counties over irregular routes. RESTRICTION: Transportation of railroad train crews and their baggage is not permitted. HHS Designation: No. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

June 11, 2019

Page 10162

TRANSPORTATION DEPARTMENT (Cont.)

MCC- 3196.01 Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, Complainant v. Alpha Life Improvement Services; Bus at the Yard d/b/a Luxury Limousine; Caring Hearts Transportation; Reliance Medical Transportation LLC; Heartland Party Bus; Jason's Limousine Service; Kelly DeSive; National Health Transport; Nebraska Taxi, LLC; Ollie the Trolley; Tree City Cab Company; Wings of Love; A & A Landscaping; American Eagle Van Lines, Inc.; Blair Moving; Ford Storage & Moving Co.; Middle West Movers; Nebraska Transport Co., Inc.; and Smoldt Moving & Storage, Inc., Respondents. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades to enter an order sustaining in part and dismissing in part. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

BR-559/
B-1990 In the Matter of the Application of Meeting & Event Design, Inc. d/b/a Tuk Tuk Omaha, Omaha, 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 Crystal Rhoades, seconded by Commissioner Tim Schram to enter an order granting the rate application on emergency basis. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve Commission invoices. No invoices were presented to the Commission.

Executive Director's recommendation to enter into an Independent Contractor Agreement for Purposes of Recreational Vehicle Plan Review with Ted Burkey. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades present not voting.

GENERAL ADMINISTRATION (Cont.)

Executive Director's recommendation to enter into an Independent Contractor Agreement for Purposes of Recreational Vehicle Retail Outlet, Modular Housing Unit Factory, and Manufactured Home Factory Inspections with Kent E. Pribyl. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades present not voting.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

June 11, 2019

Page 10163

The meeting adjourned at 10:23 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on June 25, 2019 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on June 24, 2019.



Chair



Executive Director