

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published July 23, 2019 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on July 30, 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 Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present and Commissioner Rod Johnson excused. 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, July 30, 2019:

1:30 Commission Hearing Room, Lincoln - Workshop  
NUSF-92 In the Matter of the Nebraska Public Service Commission, on  
PO #8 its Own Motion, to administer the Nebraska Universal  
Service Fund Broadband Program. Commissioner Rhoades  
presiding as Hearing Officer.

Wednesday, July 31, 2019:

10:00 Saunders County Judicial Center  
387 N. Chestnut Street Suite #3  
Wahoo Nebraska  
911 Wireless Advisory Board Meeting

Tuesday, August 6, 2019:

10:00 Commission Hearing Room, Lincoln  
Commission Meeting

11:00 Commission Hearing Room, Lincoln  
C-5050/ In the Matter of the Nebraska Public Service Commission  
DC-94 regarding the 2018 Annual Report Filings. Commissioner  
Crystal Rhoades presiding as Hearing Officer.

1:30 Commission Hearing Room, Lincoln  
M-14229 In the Matter of the Nebraska Public Service Commission, on  
its own Motion, seeking to require NST Holdings, LLC, d/b/a  
Aardvark Moving Company, Omaha, to Show Cause as to why its  
Certificate of Public Convenience and Necessity should not  
be revoked. Commissioner Ridder presiding as Hearing  
Officer.

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2:00 Commission Hearing Room, Lincoln - Workshop  
Rule and In the Matter of the Commission, on its own motion, seeking  
Regulation to establish Title 291, Chapter 16, to adopt Reverse  
#202 Auction and Wireless Registry rules and regulations in  
accordance with Nebraska Legislative Bill 994 [2018].  
Commissioner Rod Johnson presiding as Hearing Officer.

## COMMUNICATIONS DEPARTMENT

C-5046 In the Matter of the Application of Mary Ruzicka, Ronald  
Nuss, and Kristin Jerred, Aurora, each seeking authority to  
receive advanced telecommunications service from the  
Stockham Exchange of Hamilton Telephone Company.  
Commissioner Johnson presiding as Hearing Officer; and  
C-5048 In the Matter of the Application of Jerry and Pamela  
Huebert, Aurora, seeking authority to receive advanced  
telecommunications service from the Stockham Exchange of Hamilton  
Telephone Company. Motion made by Commissioner Tim Schram, seconded by  
Commissioner Dan Watermeier, to enter Orders granting applications C-  
5046 and C-5048. Motion passed with Commissioners Crystal Rhoades,  
Mary Ridder, Tim Schram and Dan Watermeier voting AYE and Commissioner  
Rod Johnson excused not voting.

Commissioner Rod Johnson entered the Hearing Room at 10:03 a.m.

C-5055 In the Matter of the Application of 365 Wireless, LLC,  
Atlanta, Georgia, seeking authority to withdraw its local  
exchange and interexchange certificates of authority and can its  
tariffs. Motion made by Commissioner Dan Watermeier, 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.

C-5056 In the Matter of the Application of Viaero Fiber  
Networks, LLC, Fort Morgan, Colorado, for a Certificate of  
Public Convenience and Necessity to provide Inter-LATA and Intra-LATA  
Private Line Transport Services. Motion made by Commissioner Tim  
Schram, seconded by Commissioner Rod Johnson, to enter an Order  
granting the application. Motion passed with Commissioners Rod  
Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier  
voting AYE.

AD-676r In the Matter of the Application of Gravis Marketing, Inc.,  
Winter Springs, Florida, seeking authority to register the connection  
of an automatic dialing-announcing device in Reston, Virginia. Motion  
made by Commissioner Tim Schram, seconded by Commissioner Dan  
Watermeier, to enter an Order granting the application. Motion passed  
with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan  
Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

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## COMMUNICATIONS DEPARTMENT, Cont.

- NUSF-99.61 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;
- NUSF-99.63 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;
- NUSF-99.65 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;
- NUSF-99.66 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; and
- NUSF-99.67 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 Dan Watermeier, seconded by Commissioner Tim Schram, to enter Orders granting applications NUSF-99.61 (Bennet RL05 Exchange), NUSF-99.63 (Bennet RL08 Exchange), NUSF-99.65 (Raymond Exchange RL02), NUSF-99.66 (Raymond Exchange RL03), and NUSF-99.67 (Raymond Exchange RL04) projects. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## NATURAL GAS DEPARTMENT

NG-13 PO-#64 In the Matter of the Commission, on its own motion, to evaluate and establish, on a quarterly basis, an assessment for jurisdictional utilities pursuant to the State Natural Gas Regulation Act, Neb. Rev. Stat. § 66-1801 et seq. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter the quarterly progression order #64. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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;

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## NATURAL GAS DEPARTMENT (Cont.)

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; and

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. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter assessment orders BA-14 and BA-15 in NG-78.6; BA-5 and BA-6 in NG-100; and BA-2 in NG-101/PI-224. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

E-2465 In the Matter of the Application of Nebraska Public Power District, Columbus, Nebraska, seeking authority to construct, operate and maintain an electric transmission line in Gosper, Dawson, and Buffalo Counties. Motion made by Commissioner Rod Johnson, 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.

Nichole Mulcahy reported a total number of 13 consumer complaints and inquiries received at the Commission during the first quarter of 2019. For each company: Black Hills Energy - 5; Black Hills Distribution - 3; and NorthWestern - 4; and Other Entities - 1.

## TRANSPORTATION DEPARTMENT

B-1923 In the Matter of the Application of Norton Enterprises, LLC, d/b/a Heartland Party Bus, Omaha, seeking to cancel its Certificate of Public Convenience and Necessity granted under Certificate B-1923. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order cancelling Certificate B-1923. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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## TRANSPORTATION DEPARTMENT (Cont.)

B-1983 In the Matter of the Application of Samuel Safe Ride (SSR), LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van, SUV, and sedan in open class service between points in Douglas and Sarpy counties over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an Order granting the application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

BR-565/  
B-1781 In the Matter of the Application of Unity Transportation Services, Inc., 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 rates on emergency basis. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

MANF-12 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Manufactured Home Program;

MODF-13 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Modular Housing Program; and

RVF-13 In the Matter of the Commission, on its own motion, seeking to determine the fees for the Recreational Vehicle Program: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to enter Orders in Dockets MANF-12, MODF-13 and RV-13, scheduling a hearing for Tuesday, August 27, 2019 at 11:00 a.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## GRAIN WAREHOUSE DEPARTMENT

GD-3036 In the Matter of the Application of Great Lakes Grain & Transportation, LLC, Bay City, Michigan, seeking authority to operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue of 2016). Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an order granting the Grain Dealer License. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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GENERAL ADMINISTRATION

Executive Director's recommendation to approve Commission invoices. Motion made by Commissioner Rod Johnson, 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.

Rod Johnson	\$	357.28
Rod Johnson		625.24
Crystal Rhoades		136.74
Tim Schram		437.78

The following invoices were paid between 7-17-2019 and 7-30-2019 and should be ratified:

NARUC	\$	11,110.00
NRRI		5,000.00

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The meeting adjourned at 10:18 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 August 6, 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 August 5, 2019.

  
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Chair

  
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Executive Director