

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

April 7, 2020

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Notice was duly published March 31, 2020 on page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on April 7, 2020 at 10:00 AM in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:01 AM and stated that this meeting would be held via video conference and telephone, pursuant to the Governor's Executive Order No. 20-03 issued on March 17, 2020, which granted a limited waiver of the Open Meetings Act due to the COVID-19 state of emergency. Commissioners Tim Schram was present in the Commission Hearing Room. Commissioners Crystal Rhoades and Mary Ridder were present via video conference. Commissioner Dan Watermeier was present via telephone. Commissioner Rod Johnson was excused. Chair Ridder stated that a copy of the Nebraska Open Meetings Act is posted in the meeting room and on the Commission's website. Chair Ridder invited the public to address the Commission telephonically. No public comments were received. No further announcements were made.

Attention was called to the following proceedings:

Wednesday, April 8, 2020:

NG-101.1/ Black Hills Energy - **Quarterly Status Meeting**  
PI-224 1:30 p.m. - Phone Bridge only (888)820-1398  
Attendee Code 4207969#  
Commissioner Rod Johnson - Hearing Officer

Wednesday, April 15, 2020:

NG-101.2/ NorthWestern Energy - **Quarterly Status Meeting**  
PI-224 9:00 a.m. - Phone Bridge only (888)820-1398  
Attendee Code 4207969#  
Commissioner Rod Johnson - Hearing Officer

Monday, April 20, 2020:

## **NIEF Advisory Board Meeting**

1:00 p.m. Virtual Meeting  
This meeting will be held in accordance with the Governor's Executive Order No. 20-03. As the meeting will be held electronically, and no quorum of the public body will be physically present together, there will be no public in-person attendance. Remote access to the meeting will be available via Webex or by telephone. The Commission's Webex may be accessed by the following link:  
<http://tiny.cc/PSCWebex> (case sensitive). Those wishing to attend anonymously may use "anonymous" for their name and "a@b.com" for their email address. To attend by telephone, dial 415-655-0003, then enter 926 434 190 when prompted for an access code.

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Tuesday, April 21, 2020:

## **Commission Meeting**

10:00 a.m. Virtual Meeting

This meeting will be held in accordance with the Governor's Executive Order No. 20-03. As the meeting will be held electronically, and no quorum of the public body will be physically present together, there will be no public in-person attendance. Remote access to the meeting will be available via Webex or by telephone. The Commission's Webex may be accessed by the following link:

<http://tiny.cc/PSCWebex> (case sensitive). Those wishing to attend anonymously may use "anonymous" for their name and "a@b.com" for their email address. To attend by telephone, dial 415-655-0003, then enter 926 434 190 when prompted for an access code.

NUSF-117 E-Rate Special Construction - **Hearing**

1:30 p.m. - Virtual Hearing

Remote access to the hearing will be available via Webex or by telephone. The Commission's Webex may be accessed by the following link: <http://tiny.cc/PSCWebex> (case sensitive).

Those wishing to attend anonymously may use "anonymous" for their name and "a@b.com" for their email address. To attend by telephone, dial 415-655-0003, then enter 926 434 190 when prompted for an access code.

## COMMUNICATIONS DEPARTMENT

C-5094 In the Matter of the Commission, on its own Motion, to determine the surcharge for the statewide Telecommunications Relay System to be effective July 1, 2020. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order setting the TRS surcharge for FY 2020/2021. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

C-5096 In the Matter of the Application of Common Point, LLC, Chicago, Illinois, seeking authority to withdraw its local exchange and interexchange certificates of authority and cancel its tariffs. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order granting application. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

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C-5098 In the Matter of the Application of BCM One, Inc., New York, New York, for authority to obtain debt financing. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Crystal Rhoades, to enter an Order granting application. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

C-5099 In the Matter of the Application of West Safety Communications, Inc., Longmont, Colorado, seeking a name change to Intrado Safety Communications, Inc.; and

C-5100 In the Matter of the Application of West Telecom Services, LLC, Lancaster, Texas, seeking a name change to Intrado Communications, LLC.

Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter Orders granting Applications C-5099 and C-5100. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

C-5101 In the Matter of the Application of EarthLink Business, LLC, seeking a name change to Windstream New Edge, LLC.

Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

C-5103 In the Matter of the Application of Steven Driewer, Marquette, seeking authority to receive telephone service from the Hordville exchange of the Hamilton Telephone Company. Motion

made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order granting application. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

AD-683r In the Matter of the Application of FLS Connect, LLC, St. Paul, Minnesota, seeking authority to register the connection of an automatic dialing-announcing device.

AD-684r In the matter of the Application of Echo 19, LLC, d/b/a Echo Research, Washington, D.C., seeking authority to register the connection of an automatic dialing-announcing device; and

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AD-685r In the Matter of the Application of TCN, Inc., Saint George, Utah, seeking authority to register the connection of an automatic dialing-announcing device. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter Orders granting applications AD-683r thru AD-685r. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

NUSF-1, PO #7 In the Matter of the Commission, on its own Motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Lingo Communications North, LLC, f/k/a Ionex. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to grant Lingo Communications North, LLC, f/k/a Ionex, extension request to May 1, 2020, to submit the 2018 remittance audit, otherwise due December 31, 2019. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

NUSF-37.379 In the Matter of Cullen Robbins, Director of the Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. CallCatchers, Inc., Respondent. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order dismissing the Complaint. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

Cullen Robbins discussed the Telecom representative position on the NUSF Advisory Board, currently held by Ann Prockish of CenturyLink, requesting Commission approval to allow Al Lubeck, also of CenturyLink, to fulfill Ms. Prockish's current term, through January, 2021. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to approve Al Lubeck of CenturyLink to fulfill Ann Prockish's term through January, 2021, on the NUSF Advisory Board. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

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WC Dkt Rural Digital opportunity Fund;  
 No 19-126  
 WC Dkt Connect America Fund; and  
 No 10-90  
 AU Dkt Wireline Competition Bureau Releases Preliminary  
 No 20-34 List & Map of Eligible Areas for the Rural Digital  
 Opportunity Fund Phase 1 Auction. Motion made by  
 Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades, to  
 approve filing Comments with the FCC identifying census blocks that  
 have been awarded funding through the NUSF in response to Rural  
 Digital Opportunity Fund Auction challenge process. Response to the  
 FCC is due before April 10, 2020. Motion passed with Commissioners  
 Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting  
 AYE, and Commissioner Rod Johnson excused not voting.

Cullen Robbins discussed the late-filed remittance  
 worksheets for Voyant Communications, LLC, and sought Commission  
 approval to open a Complaint. Motion made by Commissioner Tim Schram,  
 seconded by Commissioner Crystal Rhoades, to approve opening a  
 Complaint. Motion passed with Commissioners Crystal Rhoades, Mary  
 Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod  
 Johnson excused not voting.

Cullen Robbins informed the Commission of the  
 telecommunications complaints and outages received by the  
 Communications Department during the preceding month.

Outages for March 2020							
Carrier	Area	Outage Date	Completion Date	Duration	Lines Affected	Primary Cause	Comments
Qwest Corporation	Atkinson	Mar-02-20	Mar-03-20	1 d 5 h	298	Cable Cut	Black Hills Energy called to request a locate, but started work before locate was completed, and cut into the cable shortly thereafter. They are charging Black Hills Energy for the repairs.
Qwest Corporation	Scottsbluff	Mar-11-20	Mar-11-20	0 d 3 h	703	Equipment	Switch not processing toll calls. Defective card was replaced. This was a planned maintenance task performed remotely, but card issue on redundant route caused outage. Technician had to complete primary route maintenance before returning traffic to primary route.
Windstream Nebraska, Inc.	Fairbury	Mar-17-20	Mar-17-20	0 d 3 h	1017	Equipment	Remotes out of Fairbury were down impacting 1017 customer voice lines. 503 lines restored with no action taken. 514 lines restored after controller cards were replaced.
Qwest Corporation	Scottsbluff	Mar-24-20	Mar-24-20	0 d 1 h	457	Equipment	Toll Switch isolation - Reset switch port to restore.

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## RULES & REGULATIONS

R&R 202 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 16, to adopt Reverse Auction and Wireless Registry rules and regulations in accordance with Nebraska Legislative Bill 994 [2018]. Shana Knutson reported that this matter has been set for hearing on May 19, 2020 at 1:30 PM, via WebEx in the Commission Hearing Room.

## TRANSPORTATION DEPARTMENT

B-1917 In the Matter of the Application of Omaha Brew Bus, LLC, Omaha, seeking a suspension of the Certificate of Public Convenience and Necessity issued in Application B-1917 until July 1, 2020. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order granting suspension. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

M-14253 In the Matter of the Application of Chet's Transfer of Kearney, Inc., Kearney, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between all points in Nebraska over irregular routes. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

MCC- 3196.02 Jamie L. Reyes, Director Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, Complainant v. Alpha Life Improvement Services; Big A Holdings, LLC dba OMALiNK; Big O's Party Bus, LLC; Black Diamond S&S; Bus at the Yard d/b/a Luxury Limousine; Careem Transportation, LLC; Daniel's Moving & Storage of Omaha, LLC; Denver Coach, Inc.; First Student dba First Student, Inc.; Ford Storage & Moving Co.; Good Times Limousine, Inc.; Kelly DeSive; King's Moving; Modest Movers, LLC dba Middle West Movers; Nebraska Taxi, LLC; Night Life Limousine, LLC; Omaha Omaha Handicap Transportation Services; Rapid Shuttle Service; Roadrunner Bus, LLC; Ronald D. Allgood dba Tree City Cab Company; Siouxland Paramedics, Inc.; Smiley's; T and T Party Bus, LLC dba T & T Limousines; The Wine Bus, LLC; and Xtreme Ride, LLC, Respondents. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order to dismiss, in part. Motion passed with Commissioners Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Rod Johnson excused not voting.

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BR-566/ In the Matter of the Application of Oceans Enterprise, LLC,  
B-2002 d/b/a Oceans Drive Transportation, 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. Motion passed with Commissioners  
Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting  
AYE, and Commissioner Rod Johnson excused not voting.

BR-582/ In the Matter of the Application of National Health  
B-1885 Transport, 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 on an emergency basis. Motion passed with Commissioners  
Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting  
AYE, and Commissioner Rod Johnson excused not voting.

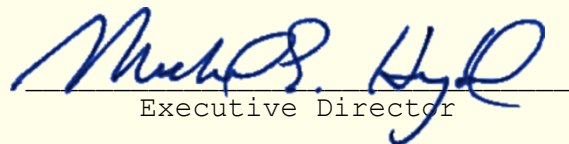
GENERAL ADMINISTRATION

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

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The meeting adjourned at 10:27 AM with Commissioners  
Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present  
and Commissioner Rod Johnson excused. The next regularly scheduled  
meeting will be held on April 21, 2020 at 10:00 AM via Webex. Members  
of the public wishing to attend the meeting may direct their web  
browsers to <http://tiny.cc/PSCWebex>. The agenda for the April 21, 2020  
meeting will be available on the Commission's website,  
<http://psc.nebraska.gov/>, at 10:00 AM on April 20, 2020.

  
Chair

  
Executive Director