

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Due to a clerical error, notice was not published for the regular public meeting of the Commissioners of the Nebraska Public Service Commission, which occurred on August 25, 2020 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 AM. 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, August 25, 2020:

NUSF-99, Administer NUSF High-Cost Program - **Hearing**
PO #2 1:30 p.m. - Commission Hearing Room
Commissioner Ridder - Hearing Officer
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 926 343 190 when prompted for an access code.

Wednesday, August 26, 2020:

B-2004 LaToya Prince Ventures - **Hearing**
10:00 a.m. - Commission Hearing Room
Commissioner Watermeier - Hearing Officer
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 926 343 190 when prompted for an access code.

Tuesday, September 1, 2020

Commission Meeting

10:00 a.m. - Commission Hearing Room

NUSF-37.381 Remittance Complaint, Norstan Network Services - **Hearing**
11:00 a.m. - Commission Hearing Room
Commissioner Schram - Hearing Officer

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C-5147 In the Matter of the Joint Application of Arlington Telephone Company, The Blair Telephone Company, Eastern Nebraska Telephone Company, Rock County Telephone, and HunTel CableVision Inc., seeking authority to issue collateralized guarantees of long-term indebtedness. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5148 In the Matter of the Application of J.H. Kime & Sons Cattle Co, Wood Lake, Nebraska, seeking authority to receive telephone service from the Valentine Exchange of CenturyLink Communications, LLC. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5153 In the Matter of the Joint Application of Lingo Communications North, LLC, Irving, Texas, and Matrix Telecom, LLC, Irving, Texas, seeking approval of a corporate reorganization and transfer of customers. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5154 In the Matter of the Application of Kimberly Marlatt, Wood Lake, Nebraska, seeking authority to receive telephone service from the Valentine Exchange of CenturyLink Communications, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5144 In the Matter of the Application of Qwest Corporation dba CenturyLink, QC, Denver, Colorado, seeking approval of a Resale Forbearance Amendment to their Interconnection Agreement with EnTelegent Solutions, Inc., Charlotte, North Carolina, Onvoy, LLC, Chicago, Illinois, previously approved in Docket C-4196;

C-5145 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of a Resale Forbearance Amendment to their Interconnection Agreement with Airus, Inc., Chicago, Illinois, previously approved in Docket C-4229;

C-5146 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of a Resale Forbearance Amendment to their Interconnection

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- C-5149 Agreement with Pinpoint Communications, Inc., Cambridge, Nebraska, previously approved in Docket C-2605;
In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of a Resale Forbearance Amendment to their Interconnection Agreement with Charter Fiberlink - Nebraska, LLC, St. Louis, Missouri, previously approved in Docket C-3863;
- C-5150 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of a Resale Forbearance Amendment to their Interconnection Agreement with BCN Telecom, Inc., Bedminster, New Jersey, previously approved in Docket C-4669;
- C-5151 In the Matter of the Application of Qwest Corporation dba CenturyLink, QC, Denver, Colorado, seeking approval of a Batch Hot Cut Removal Amendment to the Interconnection Agreement with Pinpoint Communications, Inc., Cambridge, Nebraska, previously approved in Docket C-2605; and
- C-5155 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of a Resale Forbearance Amendment to their Interconnection Agreement with Easton Telecom Services, LLC, Richfield, Ohio, previously approved in Docket C-4190. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter Orders approving applications C-5144, C-5145, C-5146, C-5149, C-5150, C-5151 and C-5155. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-37.381 In the Matter of Cullen Robbins, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant v Norstan Network Services, Inc., Respondent. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order dismissing Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-108, PO #5 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to make adjustments to its high-cost distribution mechanism and make revisions to its reporting requirements: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order rescheduling the Hearing originally set for September 29, 2020, to October 6, 2020, at 1:30 p.m., Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

STATE 911 DEPARTMENT

911-042.20 In the Matter of the Nebraska Public Service Commission,

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on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Dawes County. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson to enter an Order approving use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.56 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: York County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram to enter an Order approving use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.63 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Scotts Bluff County. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram to enter an Order approving use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Dave Sankey informed the Commission of the September 2, 2020 Hearing at 10:00 a.m. in the Commission Hearing Room on 911-073 PI/232 to consider adopting the recommendations of the 911 Service System Advisory Committee for the creation of a new funding system for Next Generation 911. Commissioner Schram Hearing Officer.

NATURAL GAS DEPARTMENT

NG-107 In the Matter of the Application of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy for a deferred accounting order to record and preserve costs related to the Covid-19 pandemic. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order granting application in part. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-107 In the Matter of the Application of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy for a deferred accounting order to record and preserve costs related to the Covid-19 pandemic; and

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NG-109 In the Matter of the Application of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a general rate increase. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson to enter assessment orders BA-6 and BA-7 in NG-107, and orders BA-3, BA-4 and BW-2 in NG-109. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-109 In the Matter of the Application of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a general rate increase. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter a Nunc pro Tunc order. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

E-2477 In the Matter of the Application of Loup River Public Power District, Columbus, Nebraska, seeking authority to construct, operate and maintain an electric transmission line in Platte County. 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.

RULES AND REGULATIONS

R&R-204 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to amend Title 291, Chapter 3, Motor Carrier Rules and Regulations, to adopt rules in accordance with Nebraska Legislative Bill 734 [2020]. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to enter an order opening docket, releasing proposed rules and setting a hearing for October 14, 2020 at 1:30 p.m., Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

MCC-3196.02 Jamie L. Reyes, Director Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska, Complainant v. AlphaLife Improvement Services;

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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; Siouland 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 sustaining complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1320 In the Matter of the Application of Ronald D. Allgood, d/b/a Tree City Cab, Nebraska City, seeking to suspend its Certificate of Public Convenience and Necessity issued in Docket No. B-1320 until January 3, 2021. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order granting extension of suspension until January 3, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1944 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to revoke the Certificate of Public Convenience and Necessity issued to Good Times Limousine, Inc., Omaha, in Certificate No. B-1944. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order revoking Certificate. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2008 In the Matter of the Application of Dusty Trails LLC, North Platte, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party and charter bus service between points in Lincoln and Keith counties, and between said counties, over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an Order dismissing application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2018 In the Matter of the Application of Compassion Care Senior Services, LLC d/b/a Compassion Care Medical Transport, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by sedan and van between points in Douglas, Dodge, Sarpy, Washington, and Cass counties, and between said counties, over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not

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authorized. HHS Designation: Yes. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TNC-2 In the Matter of the Commission, on its own motion, seeking to determine the annual fee for Transportation Network Companies. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order setting hearing for September 29, 2020 at 11:00 a.m. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

BR-586/
B-1899 In the Matter of the Application of The Happy Bus, Alma, 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 Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-587/
B-1976 In the Matter of the Application of Beautiful Life Family Home Care, d/b/a Beautiful Life Medical Transport, LLC, 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 an 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-13 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Manufactured Home Program;

MODF-14 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Modular Housing Program; and

RVF-14 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 Crystal Rhoades to enter orders opening dockets and scheduling hearings for Tuesday, September 29, 2020 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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The meeting adjourned at 10:30 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on September 1, 2020 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on August 31, 2020.


Chair


Executive Director