

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published January 19, 2021 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 January 26, 2021 at 10:00 AM in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Dan Watermeier 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 Watermeier 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, January 26, 2021:

MT-001.01 Annual Renewal Requirements - **Show Cause Hearing**

1:30 p.m. - Commission Hearing Room, Lincoln

Commissioner Rod Johnson, Hearing Officer

Friday, January 29th, 2021:

**TRS Advisory Committee Meeting**

1:30 p.m. 1200 N Street, The Atrium - Meeting Room, Suite #206

Tuesday, February 2, 2021:

**Commission Meeting**

10:00 a.m. - Commission Hearing Room

COMMUNICATIONS DEPARTMENT

C-5192 In the Matter of the Application of Spectrotel, Inc. and Spectrotel of the West, LLC, Neptune, New Jersey, seeking to transfer control of a certificated carrier. 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.

Cullen Robbins sought Commission approval to send a letter to Sprint/T-Mobile granting a waiver extension of TRS service standards. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to approve sending letter. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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NUSF-1, PO #5 In the Matter of the Commission, on its own Motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Three River Communications. Motion made by Commissioner Mary Ridder, seconded by Commissioner Crystal Rhoades, to grant Three River Communications' request to grant an extension to March 15, 2021, for the payment audit otherwise due December 31, 2020. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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: Public Communications Services, Inc. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to grant Public Communications Services' request to grant an extension to April 30, 2021, for the remittance audit otherwise due December 31, 2020. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-99.07 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-cost Program: CenturyLink Broadband Grant Request. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order approving support modification. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-99.10 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 Mary Ridder, seconded by Commissioner Crystal Rhoades, to enter an Order approving support modification. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins discussed NUSF Late-Filed Carrier Remittances: Lycamobile USA, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, that a Complaint be opened against Lycamobile USA, Inc. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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## STATE 911 DEPARTMENT

911-042.40 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: Mid-Rivers 911. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order approving the use of set-aside funds. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.44 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: Boone County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Crystal Rhoades, 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.

## NATURAL GAS DEPARTMENT

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 Mary Ridder, seconded by Commissioner Tim Schram, to enter an order. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## LEGISLATIVE

Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder to support LB 338 and request clarification on the community-based support and reverse auction provisions. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to support LB 388. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to take a neutral position on LB 398. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder to take a neutral position on LB 455. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder to take a neutral position on LB 456. The motion was withdrawn.

Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram to monitor LB 456. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to take a neutral position on LB 460. Motion passed with Commissioners Rod Johnson, Tim Schram and Dan Watermeier voting AYE, Commissioner Mary Ridder voting NAY, and Commissioner Crystal Rhoades present not voting.

Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram to support LB 498. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades to take a neutral position on LB 600. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Mary Ridder to oppose LB 604. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades to monitor LB 656. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Crystal Rhoades to oppose LB 215. No second was made.

Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram to support LB 215. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder to support LB 140. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Crystal Rhoades to support LB 486. No second was made.

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Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder to take a neutral position on LB 486. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram to take a neutral position on LB 530. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson to monitor LB 539. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram to monitor LB 83, LB 112, LB 212, LB 213 & LB 293. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## TRANSPORTATION DEPARTMENT

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 March 31, 2021. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order granting suspension extension until March 31, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1958 In the Matter of the Application of Blair Blue Cab, LLC, Blair seeking authority to amend its common carrier operations by ceasing taxicab service and instituting the transportation of passengers in open class service in its current service territory between points in Thurston, Dakota, Cuming, Burt, Dodge, Washington, Douglas, Sarpy, Saunders, Cass, Otoe, Butler, Colfax, Seward, and Lancaster counties over irregular routes, maintaining its HHS Designation, and seeking recognition of its name change to Blair Blue Community Transportation, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting application and recognizing name change. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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M-14223 In the Matter of the Application of King's Moving, LLC, Gretna, seeking to extend its 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 Tim Schram, seconded by Commissioner Crystal Rhoades, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

M-14255 In the Matter of the Application of Sebastian Moving Omaha, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods by straight truck between points in Douglas, Washington, and Sarpy counties, and between said counties on the one hand, and, on the other hand, points in Nebraska over irregular routes. Motion made by Commissioner Mary Ridder, 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.

MT-0001.01 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to address certain carriers in non-compliance with annual renewal requirements. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order to dismiss, in part. 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 February 2, 2021 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on February 1, 2021.

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Chair

  
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Executive Director