

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

March 16, 2021

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Notice was duly published March 9, 2021 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 March 16, 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, 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, March 16, 2021:

911-033.16 Sprint - **Hearing**

1:30 p.m. - Commission Hearing Room and via WebEx
Commissioner Crystal Rhoades - Hearing Officer

Tuesday, March 23, 2021:

C-5198 TRS Surcharge - **Hearing**

10:00 a.m. - Commission Hearing Room and via WebEx
Commissioner Tim Schram - Hearing Officer

Tuesday, March 30, 2021:

Commission Meeting

10:00 a.m. - Commission Hearing Room

Tuesday, March 30, 2021:

C-5201 Three River security issuance - **Hearing**

1:30 p.m. - Commission Hearing Room and via WebEx
Commissioner Mary Ridder - Hearing Officer

Commissioner Crystal Rhoades entered the meeting at 10:03 AM.

COMMUNICATIONS DEPARTMENT

C-5196/
DC-10 In the Matter of the Petition of Qwest Corporation d/b/a CenturyLink, QC and United Telephone Company of the West d/b/a CenturyLink for a Declaratory Order Approving Use of Generally Accepted Accounting Principles as consistent with Commission Rules. 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.

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C-5207 In the Matter of the Application of Windstream of the Midwest, Inc., Little Rock, Arkansas, seeking a name change to Windstream of the Midwest, LLC. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5208 In the Matter of the Application of Windstream IT-Comm, LLC, Windstream Iowa Communications, LLC, and Windstream Enterprises Holdings, LLC, Little Rock, Arkansas, seeking approval of a transfer of control and a pro forma restructuring;

C-5209 In the Matter of the Application of Windstream of the Midwest, Inc., Windstream Holding of the Midwest, Inc., and Windstream Enterprise Holdings, LLC, Little Rock, Arkansas, seeking approval of a Transfer of Control and a pro forma restructuring; and

C-5210 In the Matter of the Application of Windstream KDL, LLC, Windstream Services, LLC and Windstream Enterprise Holdings, LLC, Little Rock, Arkansas, seeking approval of a Transfer of Control and a pro forma restructuring. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter Orders approving applications C-5208, C-5209, and C-5210. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5206 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, and BCN Telecom, Inc., seeking approval of an Interconnection Agreement with Clear Rate Communications, Inc., Troy, Michigan. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order approving application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-37.390 In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Lycamobile USA, Inc., Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order dismissing the Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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911-042.16 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: Cheyenne County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order Amending Funding with an increase. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.23 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: Perkins County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order Approving Funding of new PSAP. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.25 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: Keith County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order Amending Funding with a decrease. 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 Crystal Rhoades, to enter assessment orders BA-17 and BA-18. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

E-2485 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 Lancaster 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

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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 Mary Ridder to enter an order Releasing Second Set of Proposed Rules, Seeking Comment and Setting Hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

R&R 206 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 461 [2020]. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an order Opening Docket, Releasing Proposed Rules and Seeking Comment. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

TRANSPORTATION DEPARTMENT

M-14213 In the Matter of the Application of Modest Movers, LLC d/b/a Middle West Movers, Omaha, seeking to cancel and revoke its Certificate of Public Convenience and Necessity issued in Docket No. M-14213. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order dismissing application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

MCC-3196.03 Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska COMPLAINANT, vs. 9 Line Medical Solutions, LLC; A Helping Hand Moving, LLC; Alpha Life Improvement Services; Ambassador Transportation, LLC; Big O's Party Bus, LLC; Black Diamond S & S; Bus at the Yard d/b/a Luxury Limousine; Daniel's Moving & Storage of Omaha; FunFamily Party Bus, LLC; Laidback Limousine, Inc.; Limousine Services, LLC; Medics At Home Inc.; Midwest Medical Transport Co., LLC; Murphy Moving, Inc.; National Arbor Day Foundation; National Health Transport, Inc.; Nebraska Excellent Health Transport; Omaha Ambulance Service, Inc.; Omaha Omaha Handicap Trans. Serv.; Premier Limousine, LLC; Ride the Good Life, LLC; Royal Limousine Service; Safe Ride Shuttle; Smiley's SNP Consulting Services; Travel Plus Limousines; and Unity Transportation Services, Inc, RESPONDENTS. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order opening docket and scheduling show cause hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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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 Mary Ridder, seconded by Commissioner Rod Johnson, 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.

MT-0002/ In the Matter of the Nebraska Public Service Commission, on PI-235 its own motion, seeking to investigate and implement changes to motor carrier regulation resulting from the passage of LB 461 [2020]. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter an Order scheduling hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GW-22 In the Matter of the Application of Ag Valley Cooperative, Non-Stock Edison, Nebraska, requesting A \$50,000 deductible on its stock insurance. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Mary Ridder to enter an order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

The meeting adjourned at 10:26 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on March 30, 2021 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on March 29, 2021.

Chair



Executive Director