

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published July 20, 2021 on page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on July 27, 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 in the Commission Hearing Room, and Commissioner Crystal Rhoades present virtually. 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, July 27, 2021:

- 11:00 AM **Hearing** - MR-1025/PI-238
Passenger Carrier Differential Rates
Commission Hearing Room & Webex
Commissioner Tim Schram - Hearing Officer
- 2:00 PM **Quarterly Status Meeting** - NG-101.1/PI-224
Black Hills Energy
Commission Hearing Room & Webex
Commissioner Rod Johnson - Hearing Officer

Wednesday, July 28, 2021:

- 2:00 PM **Quarterly Status Meeting** - NG-101.2/PI-224
NorthWestern Energy
Commission Hearing Room & Webex
Commissioner Rod Johnson - Hearing Officer

Tuesday, August 10, 2021:

- 10:00 AM **Commission Meeting**
Commission Hearing Room & Webex

COMMUNICATIONS DEPARTMENT

C-5236/ In the Matter of the Nebraska Public Service Commission
DC-99 regarding the 2020 Annual Report Filings. Motion made by
Commissioner Mary Ridder, seconded by Commissioner Rod
Johnson, to enter an Order sustaining Complaint, in part. Motion
passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder,
Tim Schram and Dan Watermeier voting AYE.

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Cullen Robbins sought Commission approval to send a letter to Sprint/T-Mobile granting a waiver extension of TRS service standards, through August 31, 2021. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to approve waiver request. Motion failed with Commissioners Rod Johnson and Dan Watermeier voting AYE, and Commissioners Crystal Rhoades, Mary Ridder and Tim Schram voting NAY.

AD-700r In the Matter of the Application of Tele-Town Hall, LLC, Arlington, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Des Moines, Iowa; and

AD-701r In the Matter of the Application of Tele-Town Hall, LLC, Arlington, Virginia, seeking authority to register the connection of an automatic dialing-announcing device in Chicago, Illinois. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Orders granting application AD-700r and AD-701r. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5277 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an Unbundled Network Elements and Resale Forbearance Amendment to their Interconnection Agreement with Mobius Communications Company, Hemingford, Nebraska;

C-5278 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of a Batch Hot Cut Removal Amendment to their Interconnection Agreement with Mobius Communications Company, Hemingford, Nebraska;

C-5279 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an FCC Modernizing Unbundling and Resale Requirements Amendment to its Interconnection Agreement with XO Communications Services, LLC, Irving, Texas;

C-5280 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an FCC Modernizing Unbundling and Resale Requirements Amendment to its Interconnection Agreement with XO Communications Services, LLC, Irving, Texas;

C-5281 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an FCC Modernizing Unbundling and Resale Requirements Amendment to its Interconnection Agreement with Allo Communications, LLC, Lincoln, Nebraska;

C-5282 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of a Routing of Traffic through a Third Party Transit Provider Amendment to its Interconnection Agreement with Wide Voice, LLC, Las Vegas, Nevada; and

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C-5283 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of a Third Party Transit Provider Amendment to its Interconnection Agreement with Wide voice, LLC, Las Vegas, Nevada. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter Orders approving applications C-5277 thru C-5283. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-2, In the Matter of the Nebraska Public Service Commission, on PO #12 its own Motion, seeking to establish guidelines for the administration of the Nebraska Telephone Assistance Program. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order seeking comments. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-108, In the Matter of the Nebraska Public Service Commission, on PO#6 its own Motion, to make adjustments to its high-cost distribution mechanism and make revisions to its reporting requirements. Commissioner Mary Ridder presiding as Hearing Officer. Cullen Robbins informed the Commission that a Hearing Officer's Order was entered July 22, 2021, setting a Hearing for August 18, 2021, at 10:00 a.m. in the Commission Hearing Room, Lincoln and, by videoconference.

STATE 911 DEPARTMENT

911-002 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order scheduling a Hearing for August 24, 2021 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.

911-042.52 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: Cherry County. Motion made by Commissioner Mary Ridder, 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.

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911-060 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for costs to implement text to 911 solutions: Sarpy County and the City of Alliance. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder.to enter an Order extending the approval of funding for text-to-911 service. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-074/ In the Matter of the Nebraska Public Service Commission, on PI-239 its own motion, to consider the appropriate level of wireless 911 surcharge funding for wireless service providers. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson.to enter an Order opening a docket and seeking public comment. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

NG-13/ In the Matter of the Commission, on its own motion, to PO-72 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 Mary Ridder, seconded by Commissioner Tim Schram, to enter Progression Order 72. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-102/ In the Matter of the Commission, on its own motion, seeking PI-225 to review policies and practices relating to the administration of customer choice programs for natural gas service offered within the State of Nebraska.

NG-111/ In the Matter of the Commission, on its own motion, seeking PI-237 to investigate the effect of the February 2021 cold weather event upon the cost of gas supply purchased by Nebraska gas utilities. Black Hills Nebraska Gas, LLC.

NG-112 In the Matter of the Commission, on its own motion, seeking to conduct an annual review of the System Safety and Integrity Rider of Black Hills Nebraska Gas, LLC, d/b/a Black Hills Energy, Rapid City, South Dakota. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson.to enter assessment orders NG-102/BA-4, NG-111/BA-8 and BA-9, and NG-112/BA-1. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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E-2492 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 Adams 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.

Nichole Mulcahy reported a total number of 10 consumer complaints and inquiries received at the Commission during the second quarter of 2021. For each company: Black Hills Energy - 6; NorthWestern - 1; and Other Entities - 3.

TRANSPORTATION DEPARTMENT

B-1577 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to require Laidback Limousine, Inc., Omaha, to show cause why its Certificate of Public Convenience and Necessity issued in Docket No. B-1577 should not be revoked;

B-1618 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to require Royal Limousine, Inc., Omaha, to show cause why its Certificate of Public Convenience and Necessity issued in Docket No. B-1618 should not be revoked; and

B-1909 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to require Bus at the Yard, d/b/a Luxury Limousine, Lincoln, to show cause why its Certificate of Public Convenience and Necessity issued in Docket No. B-1909 should not be revoked. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter Orders B-1577, B-1618, and B-1909 to show cause and schedule hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1646 In the Matter of the Application of Thuc Van Ngo d/b/a South Sioux Taxi, South Sioux City, seeking cancelation and revocation of the Certificate of Public Convenience and Necessity issued in Docket No. B-1646. Motion made by Commissioner Tim Schram, seconded by Commissioner Mary Ridder, to enter an Order granting request and cancelling Certificate B-1646. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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B-2032 In the Matter of the Application of Prestige Experiences LLC, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party service over regular routes in Lancaster County and between points in Lancaster, Hall, and Buffalo counties, and between said counties, over irregular routes. HHS Designation: No. 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.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve nominating Deborah Bertram as Employee of the Year. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Executive Director's recommendation to enter into a Consulting Services Agreement with Mission Critical Partners, LLC, for the provision of cybersecurity assessments. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

The meeting adjourned at 10:31 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on August 10, 2021 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on August 9, 2021.

Chair


Executive Director