

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published August 3, 2021 on page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on August 10, 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:

Wednesday, August 11, 2021:

1:00 PM     **911 Service System Advisory Committee Meeting**  
Room 206 Atrium Bldg. and Via 911 Department WebEx

Wednesday, August 18, 2021:

10:00 AM    **Hearing** - NUSF-108, PO #6  
High-Cost Distribution Mechanism Modifications  
Commission Hearing Room & Webex  
Commissioner Mary Ridder - Hearing Officer

Tuesday, August 24, 2021:

11:00 AM    **Hearing** - RR-206  
Commission Hearing Room and WebEx  
Commissioner Mary Ridder Hearing Officer

1:30 PM     **Hearing** - 911-002 911 Annual Surcharge  
Commission Hearing Room and via 911 Department WebEx.  
Commissioner Tim Schram - Hearing Officer

Wednesday, August 25, 2021:

9:00 AM     **Show Cause Hearing**  
B-1517 Laidback Limousine, Inc,  
B-1618 Royal Limousine Service, and  
B-1909 Bus at the Yard dba Luxury Limousine  
Commission Hearing Room and WebEx  
Commissioner Dan Watermeier - Hearing Officer

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Tuesday, August 31, 2021:

## **Commission Meeting**

10:00 a.m. - Commission Hearing Room

1:30 PM **Hearing** - NUSF-131

Reverse Auction Procedures and Requirements

Commission Hearing Room & Webex

Commissioner Mary Ridder - Hearing Officer

## COMMUNICATIONS DEPARTMENT

C-5272 In the Matter of the Nebraska Public Service Commission, on its own Motion, to implement the Nebraska Broadband Bridge Act. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order issuing the 2021/2022 Grant Application Schedule and Application Materials. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

C-5284 In the Matter of the Application of Ray Herrington, Bassett, Nebraska, seeking authority to receive advanced telecommunications service from the Newport Exchange of Rock County Telephone Company; and

C-5286 In the Matter of the Application of Bill Herrington, Bassett, Nebraska, seeking authority to receive advanced telecommunications service from the Newport Exchange of Rock County Telephone Company. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson, to enter Orders granting C-5284 and C-5286. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5285 In the Matter of the Application of Vyve Business Services, LLC, Rye Brook, New York, seeking authority to operate as a local exchange and interexchange carrier of telecommunication services within the State of Nebraska. Motion made by Commissioner Tim Schram, 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.

C-5303/  
PI-240 In the Matter of the Nebraska Public Service Commission, on its own motion, to determine whether adequate service quality is being provided by carriers operating within the State of Nebraska. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram, to enter an Order opening docket and seeking comments, due August 31, 2021. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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A Docket, Rural Digital Opportunity Fund Auction (Auction 904) No. 20-34, WC Docket Rural Digital Opportunity Fund. No 19-126, WC Docket Connect America Fund No. 10-90. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram to ratify the August 3, 2021, letter to the FCC regarding the Petition for Limited Waiver of LTD Broadband, LLC. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5287 In the Matter of the Application of Qwest Corporation dba CenturyLink QC, Denver, Colorado, seeking approval of an Unbundled Network Elements Resale Forbearance Amendment to its Interconnection Agreement with Intrado Communications, LLC, Longmont, Colorado; and

C-5288 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 HunTel CableVision, Inc., Blair, Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Orders approving applications C-5287 and C-5288. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins informed the Commission of the Complaints and Outages for July, 2021.

<b>Outages for July 2021</b>							
Carrier	Area	Outage Date	Completion Date	Duration	Lines Affected	Primary Cause	Comments
Qwest Corporation	Emerson, Pender	Jul-08-21	Jul-09-21	1 d 6 h	476	Equipment	Emerson & Pender are not processing toll calls. Toll Switch Isolation. Possible Power-hit & cleared several times.
Qwest Corporation	Omaha	Jul-13-21	Jul-14-21	1 d h	102	Damaged Cable	This cable was cut by a company grading the road for the city of Omaha. The company did not request a locate nor did they inform us they were working in the area. CenturyLink will bill the contractor for the repair cost. The working lines are all back in service.
Qwest Corporation	Elm Creek, Minden, Wood River	Jul-16-21	Jul-16-21	0 d 12 h	146	Equipment	Elm Creek Switch is not processing toll calls. The cut fiber was repaired and services have been restored.
Blair Telephone Company	Pender and Homer	Jul-26-21	Jul-27-21	0 d 5 h	300	Equipment	Maintenance outage to clear noise issue
Blair Telephone Company	Tekamah, Oakland & Lyons	Jul-28-21	Jul-28-21	0 d 5 h	1000	Equipment	ABB is upgrading the Cable TV plant in these communities to Docsis 3.1 to provide faster internet speed to their customers. There will be an outage during the conversion that will affect internet and dial tone for these customers.
K & M Telephone Company, Inc.	Chambers & Inman	Jul-24-21	Jul-25-21	1 d 4 h	500	Cable Cut	Fiber cable cut approx. 3.5 miles east of O'Neill and outside of their exchange territories. CenturyLink reported that no locate request had been issued and the damage occurred on a private proerty easement location.
Blair Telephone Company	Pender & Homer	Jul-30-21	Jul-30-21	0 d 5 h	250	Equipment	Additional maintenance to clear noise issue

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## STATE 911 DEPARTMENT

911-042.04 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: Knox County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an Order approving the use of set-aside funds for CPE, GIS mapping and connection costs to join the North East Region. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.50 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: Chase County. Motion made by Commissioner Mary Ridder, seconded by Commissioner Tim Schram to enter an Order approving the use of set-aside funds for a Logging Recorder. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.57 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: City of Alliance. Motion made by Commissioner Mary Ridder, seconded by Commissioner Rod Johnson to enter an Order approving the use of set-aside funds for CPE Viper equipment. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## TRANSPORTATION DEPARTMENT

B-1989 In the Matter of the Nebraska Public Service Commission, on its own motion, to require Ambassador Transportation, LLC, Omaha, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order to show cause and schedule Hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2029 In the Matter of the Application of CareOne Transport Systems, LLC d/b/a CareOne, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van and sedan in open class service between points in Douglas, Dodge, Sarpy, Washington, Lancaster, Lincoln, Adams, Otoe, Hall and Cass counties, and between said counties, over irregular routes. RESTRICTIONS: HHS Designation: Yes. 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.

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BR-612/  
B-1733        In the Matter of Papio Transport Service, Inc., Papillion,  
              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 Tim Schram, seconded by Commissioner Mary  
Ridder, 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.

BR-616/  
B-2030        In the Matter of Pride Ridge Home Care, LLC, d/b/a Pride  
              Ridge Medical Transport, Bellevue, 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 Tim  
Schram, seconded by Commissioner Mary Ridder, 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.

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 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.

              Jamie Reyes reports on vehicle inspection scheduling and  
the status of inspections of Railcrew Xpress vehicles ordered under  
Docket PI-227/B-1679.

## GRAIN WAREHOUSE DEPARTMENT

GW-1766        In the Matter of the Application of Grain States  
              Soya, Incorporated, West Point, Nebraska, requesting a  
\$25,000 deductible on its stock insurance. 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.

GW-153        In the Matter of Frontier Cooperative Company, Lincoln,  
Nebraska: Dillon Keiffer-Johnson reported on shortage of  
Oats.

GW-2134        In the Matter of Schaefer Grain and Feed, Inc., Plainview,  
Nebraska: Dillon Keiffer-Johnson reported on shortage of  
Corn and Soybeans.

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GDC-445/ In the Matter of Terri Fritz, Grain Program Manager,  
GD-3022 Grain Warehouse Department, Nebraska Public Service  
Commission, COMPLAINANT, v. Pipeline Foods, LLC,  
Minneapolis, Minnesota, RESPONDENT. Motion made by Commissioner Tim  
Schram, seconded by Commissioner Rod Johnson. To enter order granting  
temporary suspension. Motion passed with Commissioners Rod Johnson,  
Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting  
AYE.

GD-3049 In the Matter of the Application of Ingredion, Inc., North  
Kansas City, Missouri, seeking authority to operate as a  
grain dealer pursuant to Neb. Rev. Stat. § 75-903 (Reissue 2018).  
Motion made by Commissioner Rod Johnson, 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.

## GENERAL ADMINISTRATION

### Open Session

Executive Director's recommendation for a motion to go into  
closed session to discuss personnel matters, the closed session being  
necessary for the protection of the public interest or for the  
prevention of needless injury to the reputation of an individual.  
Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim  
Schram. Motion passed with Commissioners Rod Johnson, Crystal Rhoades,  
Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

The Commission entered into closed session at 10:29.

### Closed Session

Chair Watermeier restated that the purpose of the closed  
session is to discuss personnel matters. The closed session being  
necessary for the prevention of needless injury to the reputation of  
an individual. The closed session discussion will be so limited.

### Open Session

Executive Director's recommendation for a motion to return  
to open session. Motion made by Commissioner Rod Johnson, seconded by  
Commissioner Mary Ridder. Motion passed with Commissioners Rod  
Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier  
voting AYE.

The Commission returned to open session at 10:53.

Motion made by Commissioner Tim Schram, seconded by  
Commissioner Rod Johnson to accept the retirement of Michael G. Hybl.  
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 10:53 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 31, 2021 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on August 30, 2021.

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Chair



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Executive Director