

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

July 11, 2023

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Notice was duly published June 29, 2023 on page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on July 11, 2023 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Dan Watermeier called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Kevin Stocker, Tim Schram, Christian Mirch, Eric Kamler, and Dan Watermeier present in the Commission Hearing Room. 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 offered. No announcements were made.

Attention was called to the following proceedings:

## **COMMUNICATIONS DEPARTMENT**

C-5502, DC-102: In the Matter of Nebraska Public Service Commission Communications Department, on its own motion, regarding the 2022 Annual Report filings. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order dismissing the Complaint, in part. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5508: In the Matter of the Application of Heidi Hamilton, Hartington, seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order approving application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5509: In the Matter of the Application of Sirius Computer Solutions, LLC, San Antonio, Texas, seeking authority to operate as a local exchange carrier of telecommunication services within the State of Nebraska. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5272: In the Matter of the Nebraska Public Service Commission, on its own motion, to implement the Nebraska Broadband Bridge Act: Midstates Data Transport, LLC Deadline Extension Requests. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order granting extension of deadline. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

AD-720r: In the Matter of the Application of Strategic Consulting Group, Chicago, Illinois, seeking authority to register the connection

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of an automatic dialing-announcing device. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-92.59: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund Broadband Program; application to the Nebraska Broadband Program Received from N.E. Colorado Cellular, Inc. d/b/a Viaero Wireless. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch to enter an Order granting extension of deadline. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

BT Americas, Inc., CallShaper, LLC, and Konica Minolta Business Solutions USA, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker Carrie Gans seeks Commission approval to open NUSF Remittance Complaints against BT Americas, Inc., CallShaper, LLC and Konica Minolta Business Solutions USA, Inc. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## **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 Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order scheduling a Hearing for August 22, 2023 at 10:00 a.m. in the Commission Hearing Room. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Multi-State Working Group request for Nebraska Public Service Commission support of letter to Congressional Delegation regarding Next Generation 911 funding. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker Dave Sankey seeks Commission approval for the Public Service Commission to participate in the signing and submission of the letter to the Congressional Delegation. Dave Sankey informs the Commissioners of a letter being prepared for the Congressional Delegation by a multi-state working group regarding Federal Legislation for Next Generation 911. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## **NATURAL GAS DEPARTMENT**

NG-119: In the Matter of the Commission, to conduct a review of gas supply cost adjustment schedules implemented by Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, pursuant to Neb. Rev. Stat. § 66-1854. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter assessment order BW-2.

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Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## TRANSPORTATION DEPARTMENT

**B-2049.02:** In the Matter of the Application of Prescribed Transportation LLC, Omaha, seeking to extend its authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in open class service between all points in Nebraska over irregular routes. HHS Designation: Yes. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter Order Granting Extension of Authority as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2051.02:** In the Matter of the Nebraska Public Service Commission, on its own motion, to require LTC Holdings LLC, Lincoln, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter Order to Show Cause and Schedule Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

In the Matter of the attached list of completed Household Goods Mover License renewals effective for one year beginning July 1, 2023. Dillon Keiffer-Johnson reports on the Household Goods Mover license renewal list.

**B-2061.02r:** In the Matter of the Application of 360 Transportation Services, LLC, 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 Eric Kamler, seconded by Commissioner Tim Schram to enter Order Granting Rates as amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2068.01r:** In the Matter of the Application of Oswine Logistics, LLC, d/b/a Oswine Logistics, 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 Tim Schram, seconded by Commissioner Kevin Stocker to enter Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## GRAIN DEPARTMENT

**GW-279:** In the Matter of the Application of Farmers Cooperative, Dorchester, Nebraska requesting a deductible on its stock insurance higher than \$10,000. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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**GW-1036:** In the Matter of the Application of Farmers Co-op Association, Lindsay, Nebraska requesting a deductible on its stock insurance higher than \$10,000. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**GW-1766:** In the Matter of the Application of Grain States Soya, West Point, Nebraska requesting a deductible on its stock insurance higher than \$10,000. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**GW-19 et al.:** In the Matter of the attached list of completed warehouse license renewals for 2nd Quarter of 2023. Terri Fritz reports on the 2nd Quarter grain warehouse renewal licenses.

**GW-19 et al.:** In the Matter of the attached list of completed grain dealer license renewals for the 2nd Quarter of 2023. Terri Fritz reports on the 2nd Quarter grain dealer renewal licenses.

## GENERAL ADMINISTRATION

Executive Director's recommendation to approve the minutes for June 2023. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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The meeting adjourned at 10:26 a.m. with Commissioners Kevin Stocker, Tim Schram, Christian Mirch, Eric Kamler, and Dan Watermeier present. The next regularly scheduled meeting will be held on July 25, 2023 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on July 24, 2023.



Chair



Executive Director