

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

October 11, 2023

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Notice was duly published October 2, 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 October 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 10:00 a.m. with Commissioners Tim Schram, Christian Mirch, Eric Kamler, Kevin Stocker, 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. Bill Alford, Andrew Faust, Lori Hiebner, Mark Roblee, and Dwaine Trease made public comment on current affairs of the Transportation Department. No announcements were made.

Attention was called to the following proceedings:

COMMUNICATIONS DEPARTMENT

C-5069/PI-226: In the Matter of the Nebraska Public Service Commission, on its own motion, to implement LB 641 [2019]. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order opening application window, commencing October 12, 2023 thru December 22, 2023. Motion withdrawn.

NUSF-37.432: In the Matter of Carrie Gans, Assistant Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Vyve Business Services, LLC, Respondent. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order of dismissal. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-117, PO #1: In the Matter of the Nebraska Public Service Commission, on its own motion, to consider implementing a program to incentivize new fiber construction for E-Rate eligible entities. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order of Findings and Conclusions. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Report on telecommunications Complaints and Outages received by the Communications Department during the preceding month. Cullen Robbins informs the Commission of the Complaints and Outages received for September, 2023.

NATURAL GAS DEPARTMENT

NG-118: In the Matter of the Commission, on its own motion, seeking to open a docket to review proposed cleanup and updates to Title 291, Chapter 9, Natural Gas and Oil Pipeline Rules and Regulations. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin

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Stocker to enter an order closing the docket. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NG-13: In the Matter of the Commission, on its own motion, to 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 Eric Kamler, seconded by Commissioner Christian Mirch to enter Progression Order #81. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

B-1433.01: In the matter of the Application of B.J.Z., Inc., d/b/a Checker Cab Company, Norfolk, seeking to extend its authority as a common carrier in Nebraska intrastate commerce by instituting the transportation of passengers by sedan in open class between all points in Nebraska over irregular routes. HHS: Yes. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order Granting Application as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-1714.03: In the Matter of the Application of Caring People Sudan, Omaha seeking approval of a name change to Family Empowerment Service, Inc. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order Approving Name Change. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

RULE AND REGULATIONS

R&R 210: In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 9, Natural Gas and Oil Pipeline, to update, modernize, correct errors, and reorganize the chapter. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter Order opening docket, releasing proposed rules, and seeking comment. 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 11:06 a.m. with Commissioners, Tim Schram, Christian Mirch, Commissioner Eric Kamler, Kevin Stocker, and Dan Watermeier present. The next regularly scheduled meeting will be held on October 24, 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 October 23, 2023.



Chair



Executive Director