

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

December 5, 2023

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Notice was duly published December 1, 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 December 5, 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. No public comment offered. No announcements were made.

Attention was called to the following proceedings:

COMMUNICATIONS DEPARTMENT

C-5536: In the Matter of the Application of Telecom Management, Inc., d/b/a Pioneer Telephone, Saco, Maine, seeking authority to withdraw its interexchange certificate of authority and cancel its tariff. 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.

C-5537: In the Matter of Diller Telephone Company, seeking a waiver of 291 Neb. Admin. Code § 5-002.22A, § 5-010.09, and § 10-006.07, in order to provide customer directories digitally rather than through paper printing. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order seeking waiver of physical directory requirement. 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 November, 2023.

STATE 911 DEPARTMENT

911-076/PI-249: In the Matter of the Nebraska Public Service Commission, on its own motion, conducting an investigation into 911 service outages occurring in areas of Nebraska served by Windstream and its affiliates. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order expanding investigation and revising caption. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

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B-1951.01: In the Matter of the Nebraska Public Service Commission, on its own motion, to require Black Diamond S&S, Scottsbluff, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order to Show Cause and Schedule Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2082: In the Matter of the Application of Moon Light Transportation, LLC, Omaha, seeking to acquire, through transfer, the authority held by Omaha Omaha Handicap Transportation, Omaha, in Certificate B-1876. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order Granting Transfer and Cancelling Certificate B-1876. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

In the Matter of the 2023 Annual Report to the Legislature on the status of the Implementation of LB-629 (2015). Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to approve filing the 2023 Annual Report to the Legislature on the status of the Implementation of LB-629 (2015). Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GRAIN DEPARTMENT

GW-19: In the Matter of the Application of JE Meuret Grain Co., Brunswick, Nebraska, requesting a deductible on its stock insurance higher than \$10,000. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GW-852: In the Matter of the Application of Country Partners Cooperative, Gothenburg, Nebraska, requesting a deductible on its stock insurance higher than \$10,000. 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.

GW-2156: In the Matter of the Application of Norder Supply, Inc., Hebron, 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-2197: In the Matter of the Application of Jelinek Custom Cleaning, Inc., Alliance, Nebraska, requesting a deductible on its stock insurance higher than \$10,000. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order

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

GENERAL ADMINISTRATION

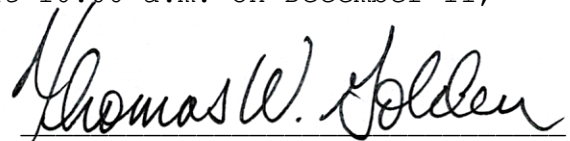
Executive Director's recommendation to approve Josh Smith to travel to and attend FRA MP&E Passenger Training in Denver, Colorado from December 10, 2023 to December 15, 2023 with all expenses to be paid by the Commission. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Executive Director's recommendation to approve the 2024 Commission Meeting schedule. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram, Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

The meeting adjourned at 10:20 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 December 12, 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 December 11, 2023.



Chair



Executive Director