

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

December 12, 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 12, 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. Commissioner Schram stated that a copy of the Nebraska Open Meetings Act is posted in the meeting room and invited the public to address the Commission. Brian Krannawitter from the American Heart Association offered public comment regarding TCPR training. Bill Austin offered public comment regarding his role as Public Advocate. No announcements were made.

Attention was called to the following proceedings:

COMMUNICATIONS DEPARTMENT

WC-23-320: Classification of Broadband as a telecommunications service under Title II of the Communications Act of 1934. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler Cullen Robbins seeks Commission approval to file comments to the FCC. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GN 22-270: In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker Cullen Robbins seeks Commission approval to file a letter to the FCC. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-1, PO #7: In the Matter of the Commission, on its own Motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Fusion Cloud Company, LLC. Motion made by Commissioner Eric Kamler, seconded by Commissioner Christian Mirch Cullen Robbins seeks Commission approval to grant an audit extension request to February 29, 2024, for the NUSF remittance audit, otherwise due December 31, 2023. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-33/PI-68: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the audit requirements related to the Nebraska Universal Service Fund. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order approving audit waivers. Motion passed with

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

NUSF-99: In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: Qwest Corporation d/b/a CenturyLink QC, Broadband Grant Request. to enter an Order setting a Hearing for Tuesday, January 23, 2024 at 11:00 a.m., Commission Hearing Room, Lincoln, regarding the extension of time request to complete the Tekamah, Grand Island, Wood River, and Schuyler projects; and

NUSF-99: In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request. Motion made by Commissioner Eric Kamler, seconded by Commissioner Dan Watermeier to enter an Order setting a Hearing for Tuesday, January 23, 2024 at 11:00 a.m., Commission Hearing Room, Lincoln, regarding the extension of time request to complete the Morrill and Minatare projects. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-99: In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: Windstream Nebraska, Inc., Broadband Grant Request. Motion made by Commissioner Christian Mirch, seconded by Commissioner Dan Watermeier to enter an Order granting Extension of Time. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-99.128: In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Co of the West d/b/a CenturyLink Broadband Grant Request. to enter an Order setting a hearing for Tuesday, January 23, 2024 at 11:00 a.m., Commission Hearing Room, Lincoln regarding the extension of time request to complete the Minatare West project; and

NUSF-99.137: In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: Qwest Corporation d/b/a CenturyLink QC Broadband Grant Request. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order setting a hearing for Tuesday, January 23, 2024 at 11:00 a.m., Commission Hearing Room, Lincoln regarding the extension of time request to complete the Schuyler project. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

STATE 911 DEPARTMENT

911-067/PI-208: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to implement provisions of LB 938 [2016] and to plan, implement, coordinate, fund, deploy, manage,

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and maintain a plan for the 911 service system. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order adopting revisions to training standards. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

NG-112.3: In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a 2024 Systems Safety and Integrity Rider. Motion made by Commissioner Eric Kamler, seconded by Commissioner Christian Mirch to enter an order approving the 2024 SSIR charge. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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 Kevin Stocker, seconded by Commissioner Eric Kamler to enter an order closing the review and adopting the findings of the Audit Report. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NG-121: In the Matter of the Joint Application of NorthWestern Corporation and NorthWestern Energy Public Service Corporation, Sioux Falls, South Dakota, seeking authority to issue securities and transfer its Nebraska certificate of public convenience and necessity. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an order approving the application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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 Eric Kamler, seconded by Commissioner Kevin Stocker to enter assessment order BW-9. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

E-2523: In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Pawnee County. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an order granting the application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

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B-2090: In the Matter of the Application of Harby LLC d/b/a Tuk Tuk Omaha, Omaha, seeking to acquire, through transfer, the authority held by Meeting and Event Design, Inc. d/b/a Tuk Tuk Omaha, in Certificate B-1990. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order Temporary Authority Denied. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Christian Mirch present not voting.

GENERAL ADMINISTRATION

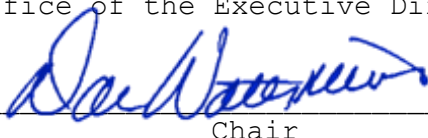
Executive Director's recommendation to approve Commissioner Dan Watermeier to travel to and attend the MARC Commissioners Only Retreat in Dallas, Texas from January 11, 2024 to January 13, 2024 with expenses to be covered or reimbursed by MARC. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Executive Director's recommendation to approve Commissioner Kevin Stocker to travel to and attend the MARC Commissioners Only Retreat in Dallas, Texas from January 11, 2024 to January 13, 2024 with expenses to be covered or reimbursed by MARC. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker present not voting.

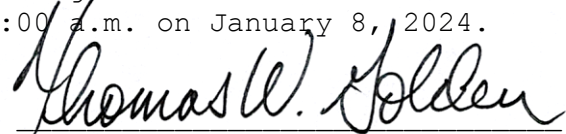
Executive Director's recommendation to approve Christian Nielsen to travel to and attend the NENA 911 Standards & Best Practices Conference in Clearwater, Florida from January 15, 2024 to January 22, 2024 with expenses to be paid by the Commission. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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

The meeting adjourned at 10:33 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 January 9, 2024 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on January 8, 2024.



Chair



Executive Director