

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

April 16, 2024

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Notice was duly published April 8, 2024 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 April 16, 2024 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Commissioner Dan Watermeier called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Tim Schram, Christian Mirch, Eric Kamler and Kevin Stocker 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-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 Tim Schram, seconded by Commissioner Eric Kamler to enter an Order issuing Findings and Requiring Reports. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

CPF-2: In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the second round of federal Capital Project Funds for broadband development in Nebraska. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order regarding challenge determinations and reclassifications of applications. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-37.438: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Comtech 21, LLC, Respondent., to enter an Order dismissing the Complaint;

NUSF-37.441: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Skybeam Acquisition Corporation, Respondent., to enter an Order dismissing the Complaint; and

NUSF-37.442: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Genesys Telecom US, Inc., Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order dismissing the Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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NUSF-131, PO #3: In the Matter of the Nebraska Public Service Commission, on its own motion, to establish reverse auction procedures and requirements. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order seeking comments due May 3, 2024 and, setting a hearing for May 15, 2024 in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

NG-115.1: In the Matter of the Commission, to conduct a management review of gas supply schedules implemented by NorthWestern Energy Public Service Corporation d/b/a NorthWestern Energy, Sioux Falls, South Dakota, pursuant to Neb. Rev. Stat. § 66-1854. Motion made by Commissioner Eric Kamler, seconded by Commissioner Christian Mirch to enter assessment order CD-1. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

E-2530: In the Matter of the Application of Cheyenne Light, Fuel and Power Company, Rapid City, South Dakota, seeking authority to construct, operate and maintain an electric transmission line in Scotts Bluff County. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch to enter an order granting the application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Nichole Mulcahy reported a total number of 16 consumer complaints and inquiries received at the Commission during the first quarter of 2024. For each company: Black Hills Energy - 12; NorthWestern - 1; Omaha MUD - 2; and Northern Natural Gas - 1.

TRANSPORTATION DEPARTMENT

B-2063: In the Matter of the Application of Hands Across Nebraska, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by SUV between all points in Nebraska over irregular routes pursuant to a contract with the Nebraska Department of Health and Human Services, a Medicaid-managed care organization under contract with NDHHS, or another agent working on behalf of NDHHS. HHS Designation: Yes. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order Approving Application as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2094: In the Matter of the Application of Rhino Medical Transportation Service, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by van in and between points within

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Douglas and Sarpy counties over irregular routes. HHS Designation: Yes. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Approving Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

LEGISLATIVE

Discussion on pending legislation. No Motion was made.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve Dillon Keiffer-Johnson to travel to and attend the ASRM Executive Committee Meeting in Nashville, Tennessee from April 22, 2024 to April 25, 2024 with expenses to be paid by the Commission. 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.

The meeting adjourned at 10:20 a.m. with Commissioners Tim Schram, Dan Watermeier, Eric Kamler, Christian Mirch, and Kevin Stocker present. The next regularly scheduled meeting will be held on April 30, 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 April 29, 2024.

Chair

Executive Director