

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

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Notice was duly published April 18, 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 30, 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 10:00 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-5368: In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Nebraska Broadband Bridge Program in the 2022 program year. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order granting Motion for Extension from Great Plains Communications. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5368: In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Nebraska Broadband Bridge Program in the 2022 program year. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order granting Motion for Extension from Pinpoint Communications. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5529: In the Matter of the Nebraska Public Service Commission, on its own motion, to implement the Precision Agriculture Infrastructure Grant Act. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch to enter an Order issuing PRO-AG grant awards. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Christian Mirch present not voting.

C-5555: In the Matter of the Commission, on its own motion, to determine the surcharge for the statewide Telecommunications Relay System, to be effective July 1, 2024. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order setting the TRS surcharge, beginning July 1, 2024. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5567: In the Matter of the Joint Application of Allo Communications, LLC and Allo Asset Entity 1, LLC, Lincoln, Nebraska, seeking authority

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to obtain debt financing. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order approving debt financing. Motion passed with Commissioners Eric Kamler, Tim Schram and Dan Watermeier voting AYE, and Commissioners Christian Mirch and Kevin Stocker present not voting.

AD-731r: In the Matter of the Application of xtDirect LLC, Omaha, Nebraska, seeking authority to register the connection of an automatic dialing-announcing device in Denver, Colorado. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter Order Granting Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Star2Star Communications, LLC: Cullen Robbins seeks Commission approval to open a TRS Remittance Complaint against Star2Star communications, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-37.440: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Covoda Communications, 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.

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 Eric Kamler to enter an Order adjusting procedural schedule and clarifying deadline to submit rural based plans. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-139: In the Matter of the Nebraska Public Service Commission, on its own Motion, to consider appropriate modifications to the high-cost distribution and reporting mechanisms in its Universal Service Fund program in light of federal and state infrastructure grants. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order identifying issues for a second workshop to be held on May 13, 2024. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Syndeo, LLC and Wholesale Carrier Services: Cullen Robbins seeks Commission approval to open NUSF Remittance Complaints against Syndeo, LLC and Wholesale Carrier Services. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler Motion passed

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

911-077/C-5581/PI-252: In the Matter of the Nebraska Public Service Commission, on its own motion, conducting an investigation into the 911 service outage on the Lumen network that began on April 17, 2024 in varying areas of Nebraska. Cullen Robbins comments on the cross-docketed Order to be presented for consideration on the State 911 Agenda.

STATE 911 DEPARTMENT

911-077/C-5581/PI-252: In the Matter of the Nebraska Public Service Commission, on its own motion, conducting an investigation into the 911 service outage on the Lumen network that began on April 17, 2024 in varying areas of Nebraska. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order opening investigation. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

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 Christian Mirch, seconded by Commissioner Eric Kamler to enter Progression Order #83. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

MCC-3204: In the Matter of Dillon Keiffer-Johnson, Director of the Motor Transportation Department of the Nebraska Public Service Commission, Complainant, v. WNM Trucking LLC, Omaha, Nebraska, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order for Default Judgement, Sustaining Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

MCC-3205: In the Matter of Dillon Keiffer-Johnson, Director of the Motor Transportation Department of the Nebraska Public Service Commission, Complainant, v. Night Ryder Party Bus and Limo, LLC, Omaha, Nebraska, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order approving motion to withdraw, dismissing Complaint, and cancelling hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-1808.02: In the Matter of the Nebraska Public Service Commission, on its own motion, to require Handivan Transports, Inc., Papillion, to show cause why its Certificate of Public Convenience and Necessity

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should not be revoked. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker 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-1897.02: In the Matter of the Nebraska Public Service Commission, on its own motion, to require Stutheit Transportation Services, Inc., Papillion, to show cause why its Certificate of Public Convenience and Necessity should not be revoked. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker 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-1990.01: In the Matter of the Nebraska Public Service Commission, on its own motion, to require Meeting & Event Design, Inc., d/b/a Tuk Tuk Omaha, Omaha, 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 an Order to Dismiss Show Cause. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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 Granting Transfer and Certificate B-1990 Cancelled. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

ML-64: In the Matter of the Application of Inside and Outside Moving Company, LLC, seeking a license to provide household goods moving services in Nebraska intrastate commerce between all points in Nebraska over irregular routes. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order Granting License. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-1956.01r: In the Matter of the Application of Lunjini Medical Transportation, LLC, LaVista, 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 an Order to Dismiss Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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GENERAL ADMINISTRATION

Deputy Director's recommendation to approve Dave Sankey to travel to and attend the Cyber Resilient 911 Seminar in Kansas City, Missouri from May 14, 2024 to May 15, 2024 with expenses to be paid by the Cybersecurity and Infrastructure Security Agency (CISA). 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.

Deputy Director's recommendation to approve Cullen Robbins to travel to and attend the 2024 NARUC Summer Policy Summit in West Palm Beach, Florida from July 13, 2024 to July 17, 2024 with 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.

Deputy Director's recommendation to approve a contract with Hamilton Relay, Inc. to provide telecommunications relay and captioned telephone services. 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.

Deputy Director's recommendation to approve the Commission Meeting minutes for March 2024. Motion made by Commissioner Tim Schram, 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 10:44 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 May 14, 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 May 13, 2024.



Chair



Deputy Director