

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

May 14, 2024

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Notice was duly published May 3, 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-5561: In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Nebraska Broadband Bridge Program in the 2024 program year. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order issuing 2024 NBBP application materials and setting procedural schedule. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5568: In the Matter of the Joint Application of Communications Venture Corporation d/b/a INdigital, Inc., Fort Wayne, Indiana, and INdigital Holdings, Inc., Jacksonville, Florida, seeking approval of a transfer of control. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order approving transfer of control. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5570: In the Matter of the Application of Paul Hilkemann, Pierce, seeking authority to receive advanced telecommunications capability service from the Pierce Exchange of Pierce Telephone Company, Inc. Motion made by Commissioner Eric Kamler, seconded by Commissioner Christian Mirch to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5572: In the Matter of the Application of Impact Telecom, LLC, and Lingo Management, LLC, Southfield, Michigan, seeking approval of a transfer of control to 46 Labs, LLC, Edmond, Oklahoma. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order approving transfer of control. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5573: In the Matter of the Application of Pam Tramp, Sue Tramp, Kelsey Tramp, and Pete Mueller, Crofton, each seeking authority to

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receive advanced telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order approving boundary change. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5575: In the Matter of Nebraska Public Service Commission, Communications Department, on its own motion, regarding the 2023 Annual Report filings. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order opening docket, to Show Cause and, Notice of Hearing to be held on July 25, 2024 at 11:00 a.m., Central Time, in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5571: In the Matter of the Application of Northeast Nebraska Telephone Company, Jackson, Nebraska, seeking approval of an Interconnection Agreement with Level 3 Communications, LLC, Denver, Colorado. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order approving interconnection agreement. 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: Mitel Cloud Services, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler Cullen Robbins seeks Commission approval to grant a second audit extension request to June 30, 2024, for the 2022 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-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: Estech Systems, Inc. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler Cullen Robbins seeks Commission approval to grant a second audit extension request to June 30, 2024, for the 2020 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-92.61: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from U.S. Cellular Corporation. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order granting US Cellular's request to cancel the Adams project. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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NUSF-92, PO #15: In the Matter of the Nebraska Public Service Commission, on its Own Motion, to Administer the Nebraska Universal Service Fund Broadband Program. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order modifying grant amount. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-131, PO #2: 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 issuing final award of bids, in part. 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 April, 2024.

STATE 911 DEPARTMENT

911-019/PI-118: In the Matter of the Nebraska Public Service Commission, on its own motion, to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for Enhanced Wireless 911 service; and

911-073/PI-232: In the Matter of the Nebraska Public Service Commission, on its own motion, to consider recommendations of the Service System Advisory Committee for creation of a new funding system for Next Generation 911. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order authorizing PSAP payments. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NATURAL GAS DEPARTMENT

NG-102/PI-225: In the Matter of the Commission, on its own motion, seeking to review policies and practices relating to the administration of customer choice programs for natural gas service offered within the State of Nebraska. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter progressive order #7 setting the workshop for June 18, 2024, at 1:30 p.m. in the Commission Hearing Room. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NG-101.1: In the Matter of the Commission, on its own motion, opening an investigatory docket for the purpose of general monitoring of issues regarding the natural gas industry and jurisdictional utilities in Nebraska. Black Hills/Nebraska Gas Utility Company, LLC, and Black Hills Gas Distribution, LLC, d/b/a Black Hills Energy. to enter assessment order CD-3;

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NG-101.2: In the Matter of the Commission, on its own motion, opening an investigatory docket for the purpose of general monitoring of issues regarding the natural gas industry and jurisdictional utilities in Nebraska. NorthWestern Corporation d/b/a NorthWestern Energy. to enter assessment order CD-2; and

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 Tim Schram to enter assessment order BW-1 and CD-2. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

ML-60: In the Matter of the Application of 10 Men Movers, LLC, Omaha, 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 Kevin Stocker to enter an Order Granting License. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

T-1.01: In the Matter of Rasier, LLC, San Francisco, California, seeking to extend its operations by providing service pursuant to a contract with the Nebraska Department of Health and Human Services for the Employment First Program. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order Scheduling Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

PI-253: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the operations of The Driver Full Circle, Omaha, Nebraska, and the company's status as a private carrier. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Opening Docket and Scheduling Hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2084.01r: In the Matter of the Application of Kohll's RxSAKRX, LLC, Omaha, 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 Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2093.01r: In the Matter of the Application of Joyful Journeys Transportation, LLC, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1

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and 3. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Report on Motor Transportation Complaints and Railroad Complaints received by the Department during the preceding Month. Dillon Keiffer-Johnson informs the Commission of the Complaints received for April, 2024.

GRAIN DEPARTMENT

GW-279: In the Matter of the Application of Farmers Cooperative, Dorchester, 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-340: In the Matter of the Commission, on its own motion, to close Warehouse No. GW-340 and take title to all grain. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order Accepting Bid Offer. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GW-535: In the Matter of the Application of Farmers Union Coop Supply Co., Clarkson, Nebraska, requesting a deductible on its stock insurance higher than \$10,000. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order Granting Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GD-2813: In the Matter of Wrights Trucking & Harvesting LLC, Bridgeport, Nebraska: Terri Fritz reports that the grain dealer license was canceled as of May 1, 2024.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve Joshua Smith to travel to and attend FRA Training in Missoula, Montana from May 13, 2024 to May 17, 2024 with expenses to be paid by the Commission. 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 recommended to approve Commissioner Dan Watermeier to travel to and attend the MARC 2024 Conference in Minneapolis, Minnesota from June 9, 2024 to June 12, 2024 with a complimentary room for June 9-11, 2024 and up to \$500 reimbursement in travel expenses provided by MARC. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler. Motion passed with

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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 2024 MARC Conference in Minneapolis, Minnesota from June 9, 2024 to June 12, 2024 with a complimentary room for June 9-11, 2024 and up to \$500 reimbursement in travel expenses provided by MARC. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch. 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 Commissioner Kevin Stocker to travel to and attend the 2024 NARUC Coal and Carbon Capture Conference in Gillette, Wyoming from June 25, 2024 to June 28, 2024 with expenses to be reimbursed by NARUC. Motion made by Commissioner Christian Mirch, seconded by Commissioner Tim Schram. 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 Dave Sankey to travel to and attend the NASNA Annual Meeting and NENA 2024 Conference & Expo in Orlando, Florida from June 27, 2024 to July 2, 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.

Executive Director's recommendation to approve James Almond to travel to and attend the NENA 2024 Conference & Expo in Orlando, Florida from June 28, 2024 to July 3, 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 Commissioner Dan Watermeier 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 all expenses to be reimbursed 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 Commissioner Tim Schram 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 lodging expenses to be reimbursed by NARUC and remaining expenses to be reimbursed by the Commission. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler. Motion passed with

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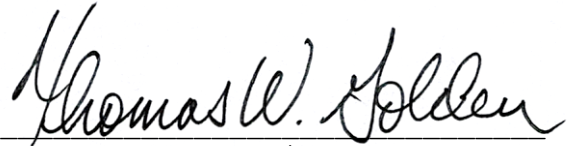
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Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

The meeting adjourned at 10:42 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 29, 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 28, 2024.



Chair



Deputy Director