

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

June 4, 2024

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Notice was duly published May 27, 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 June 4, 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. Public comment was offered by Commissioner Kevin Stocker. 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 Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order granting Northeast Nebraska Telephone Company an extension of time until August 6, 2024 to complete the Antelope Project. 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 Tim Schram, seconded by Commissioner Eric Kamler to enter an Order granting Cox Nebraska Telecom, LLC an extension of time until September 6, 2024 to complete the Springfield Project. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5575/ DC-103: In the Matter of the Nebraska Public Service Commission regarding the 2023 Annual Report Filings. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order dismissing Complaint, in part. 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 federal Capital Projects Funds for broadband development in Nebraska. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Tim Schram to enter an Order issuing Grant Awards and results of Challenges. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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AD-734r: In the Matter of the Application of HubDialer, LLC, Denver, Colorado, seeking authority to register the connection of an automatic dialing-announcing device. 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.

NUSF-4: In the Matter of the Commission, on its own motion, seeking to determine the level of the fund necessary to carry out the Nebraska Telecommunications Universal Service Fund Act, to be effective for the fiscal year beginning July 1, 2024. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order setting the surcharge for the FY 2024/2025. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Cullen Robbins informed the Commission of a proposed water rate increase set to be effective July 1, 2024, for customers of Lakeland Estates Water Company. The Commission will monitor petitions received from customers to determine whether enough petitions have been submitted to trigger a review.

STATE 911 DEPARTMENT

Director Dave Sankey recommends and seeks Commission appointment of members to the 911 Service System Advisory Committee to include Bill Muldoon, Sarpy County 911 Director as a County Official; Shelly Holzerland, Director of Communications of Fremont/Dodge County 911 as a City Official; Brent Lottman, Sheriff of Nemaha County as the Sheriff PSAP Manager Representative; Neil Miller, Sheriff of Buffalo County as the Nebraska Association of County Officials Representative; Mark Rempe, Custer County Emergency Manager as Fire Department Representative; Brian Thompson, Vice President of External Relations of Consolidated Companies as a Telecommunications Industry Representative; Jon Rosenlund, Emergency Management Director of Grand Island as the Emergency Manager Representative; Matt Watson, Cass County Chief Deputy as the Law Enforcement Representative; Stan Shearer, EMS Omaha Fire Department as the Emergency Medical Services Representative; Carla Zarybnicky, Southeast 911 Communications Director as a City Official; Kathy Allen, Douglas County 911 Director as the PSAP Non-Sheriff Representative; Tony Kosiba with Motorola, as a Telecommunications Representative; Jessica Loos, Lincoln/Lancaster County 911 Director as the League of Nebraska Municipalities Representative. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to approve appointment of 911 Service System Advisory Committee members. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

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B-1665.02: In the Matter of the Application of Jim Blundell, d/b/a M & G Taxi, York, seeking approval of a name change to James Blundell, d/b/a M & G Taxi. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order Approving Name Change. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2074: In the Matter of the Application of Tonaci Logistics, LLC, Lincoln, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by van and SUV between points in Lancaster, Seward, Saunders, Douglas, Sarpy, Cass, Gage, York, Otoe, Saline, Butler, Johnson, Fillmore, Clay, Hamilton, and Hall Counties, and between said counties 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. RESTRICTION: Operation of more than two (2) vehicles at any given time is prohibited. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Granting Application as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

ML-59: In the Matter of the Application of Grizzly 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 Christian Mirch, seconded by Commissioner Tim Schram to enter an Order Granting License. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2097.01r: In the Matter of the Application of MOF Industries, LLC, d/b/a My Ol' Friend, Bellevue, 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 Christian Mirch to enter an Order Approving 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 May, 2024.

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

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

RULES AND REGULATIONS

R&R 211: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to amend Title 291, Chapter 3, Motor Carrier Rules and Regulations, to adopt rules modifying driver requirements for licensees transporting employees of railroad carriers. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker Order releasing second proposed rules, seeking comment, and setting hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GENERAL ADMINISTRATION

Executive Director's recommendation to purchase a 2024 Ford Explorer to be used by the Track Inspector position in the Transportation Department. 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 enter into a contract with RapidSOS to provide enhanced caller information services to Nebraska PSAPs. 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 10:29 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 June 25, 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 June 24, 2024.



Chair



Executive Director