

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

June 25, 2024

Page 1

Notice was duly published June 17, 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 25, 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 was offered. No announcements were made.

Attention was called to the following proceedings:

COMMUNICATIONS DEPARTMENT

TRS-28: In the Matter of Cullen Robbins, Director of the Communications Department of the Nebraska Public Service Commission, Complainant, v. Star2Star communications, LLC, 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.

C-5566: In the Matter of the Application of Mason Buschelman, Fordyce, seeking authority to receive telecommunications service from the Hartington Exchange of the Hartington Telecommunications Co., Inc. to enter an Order setting hearing for Monday, August 12, 2024 at 1:30 p.m. Central Time at the Fordyce Village Hall, 209 W 2nd St., Fordyce, Nebraska; and

C-5578: In the Matter of the Application of Ron Wieseler, St. Helena, seeking authority to receive 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 setting hearing for Monday, August 12, 2024 at 2:00 p.m. Central Time at the Fordyce Village Hall, 209 W 2nd St., Fordyce, Nebraska. 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 Nebraska Public Service Commission Communications Department, on its own motion, regarding the 2023 Annual Report filings. Motion made by Commissioner Christian Mirch, seconded by Commissioner Tim Schram 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.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

June 25, 2024

Page 2

C-5584: In the Matter of the Joint Application of CBTS Technology Solutions, LLC, and CBTS Borrower, LLC, Cincinnati, Ohio, seeking authority to obtain debt financing. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order Granting Application. Motion passed with Commissioners Eric Kamler, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Christian Mirch present not voting.

C-5585: In the Matter of the Application of Steve & Julie Herbig, Marquette, seeking authority to receive advanced telecommunications capability service from the Marquette Exchange of the Hamilton Telephone Company. 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-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 Kevin Stocker to enter an Order Issuing Revised Program Guide. 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: CallShaper, LLC. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker Cullen Robbins seeks Commission approval to grant CallShaper, LLC a second audit extension request to July 31, 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-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: Velocity. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker Cullen Robbins seeks Commission approval to grant Velocity a first extension request to August 1, 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-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: Arlington Telephone Company. Cullen Robbins seeks Commission approval to grant Arlington Telephone Company a second audit extension request to August 1, 2024, for the 2022 NUSF remittance audit, otherwise due December 31, 2023; and

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

June 25, 2024

Page 3

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: Blair Telephone Company. Motion made by Commissioner Christian Mirch, seconded by Commissioner Tim Schram Cullen Robbins seeks Commission approval to grant Blair Telephone Company a second audit extension request to August 1, 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-92.62: 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 N.E. Colorado Cellular, Inc. d/b/a Viaero Wireless. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order Granting Request to Cancel Awarded Project. 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 Issuing Procedures for Second 2024 Reverse Auction and Announcing Qualified Bidders. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram and Dan Watermeier voting AYE, and Commissioner Kevin Stocker present not voting.

NUSF-133, PO #1: In the Matter of the Nebraska Public Service Commission, on its own motion, to implement standards for the verification of broadband service provider coverage and speed data. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order Seeking Comment and Notice of Hearing on Tuesday, August 6, 2024 at 1:30 p.m. Central Time in the Commission Hearing Room. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-37.443: Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Syndeo, LLC, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler Cullen Robbins requests Commission approval to amend the complaint against Syndeo, LLC. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSF-37.446: Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Estech Systems, Inc., Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

June 25, 2024

Page 4

Dismissing Estech Systems, Inc. from Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Working Assets Funding Service. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker Cullen Robbins requests Commission approval to open a NUSF Remittance Complaint against Working assets Funding Service. 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 May, 2024.

NATURAL GAS DEPARTMENT

NG-122: In the Matter of NorthWestern Energy Public Service Corporation d/b/a NorthWestern Energy, Sioux Falls, South Dakota, seeking approval of a natural gas general rate increase for Nebraska. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler to enter a notice of assessment order and a protective order. 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 Energy. to enter assessment order CD-4;

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. to enter assessment order CD-1 and 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 Tim Schram, seconded by Commissioner Eric Kamler to enter assessment orders BW-3 and CD-3. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

E-2531: In the Matter of the Application of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Thurston County. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an order granting the application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

June 25, 2024

Page 5

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 Energy. Nichole Mulcahy informed the Commission of the next status meeting on July 23, 2024, at 2:00 p.m. in the Commission Hearing Room and via Webex.

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 Energy. Nichole Mulcahy informed the Commission of the next status meeting on July 9, 2024, at 2:00 p.m. in the Commission Hearing Room and via Webex.

TRANSPORTATION DEPARTMENT

B-2068.02: In the Matter of the Application of Oswine Logistics, LLC, d/b/a Oswine Logistics, Omaha, seeking to extend its authority by adding the ability to operate SUVs in its operations. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order Granting Extension. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2087: In the Matter of the Application of Good Time Party Bus MX, LLC, Bellevue, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Charter service by bus between all points in Nebraska over irregular routes. HHS Designation: No. Motion made by Commissioner Tim Schram, 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.

B-2092: In the Matter of the Application of The Community Transportation Services, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by sedan between points within Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. HHS Designation: Yes. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order Granting Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2090.01r: In the Matter of the Application of Harby LLC d/b/a Tuk Tuk Omaha, 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 Eric Kamler to enter an Order Granting Rates on an Emergency Basis.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

June 25, 2024

Page 6

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

B-2094.01r: In the Matter of the Application of Rhino Medical Transportation Service, 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 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.

B-2098.01r: In the Matter of the Application of Hudson Sherlock Holdings, LLC, d/b/a Nebraska Party Bus, 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 Tim Schram, seconded by Commissioner Christian Mirch to enter an Order Granting Rates on an Emergency Basis. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2103.01r: In the Matter of the Application of Catch a Cab, LLC, d/b/a Catch a Cab, Kearney, 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 Eric Kamler to enter an Order Granting Rates on an Emergency Basis. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GRAIN DEPARTMENT

GW-306: In the Matter of the Application of Geneva Milling Co. Inc., Geneva Nebraska, requesting a deductible on its stock insurance higher than \$10,000. to enter an Order Granting application;

GW-2127: In the Matter of the Application of Scoular Co, Salina, Kansas, requesting a deductible on its stock insurance higher than \$10,000. to enter an Order Granting application;

GW-2129: In the Matter of the Application of Scoular Co, Salina, Kansas, requesting a deductible on its stock insurance higher than \$10,000. to enter an Order Granting application;

GW-2132: In the Matter of the Application of Scoular Co, Salina, Kansas, requesting a deductible on its stock insurance higher than \$10,000. to enter an Order Granting application;

GW-2148: In the Matter of the Application of Scoular Co, Salina, Kansas, requesting a deductible on its stock insurance higher than \$10,000. to enter an Order Granting application;

GW-2179: In the Matter of the Application of Scoular Co, Salina, Kansas, requesting a deductible on its stock insurance higher than \$10,000. to enter an Order Granting application;

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

June 25, 2024

Page 7

GW-2185: In the Matter of the Application of Pride Grain, Long Pine, Nebraska, requesting a deductible on its stock insurance higher than \$10,000. Motion made by Commissioner Kevin Stocker, 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.

RULES AND REGULATIONS

R&R 210: In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 9, Natural Gas and Oil Pipeline, to update, modernize, correct errors, and reorganize the chapter. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order adopting proposed rules and issuing certificate of adoption. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

The meeting adjourned at 10:30 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 July 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 July 8, 2024.



Chair



Deputy Director