

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published August 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 September 10, 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 was 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 Tim Schram, seconded by Commissioner Christian Mirch to enter an Order granting Second Extension of Project Deadline for Springfield Project. 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 Hartington Telecommunications Co., Inc. Motion made by Commissioner Eric Kamler, seconded by Commissioner Tim Schram to enter an Order granting application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**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 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.

**NUSF-37.449:** In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Interface Security Systems, LLC, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order dismissing NUSF Remittance Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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**NUSF-37.450:** In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. GoDaddy.com, LLC, Respondent. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order dismissing NUSF Remittance Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**TRS-29:** In the Matter of Cullen Robbins, Director, Communications Department of the Nebraska Public Service Commission, Complainant, v. Interface Security Systems, LLC, Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order dismissing TRS Remittance Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## **STATE 911 DEPARTMENT**

**911-002:** In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker to enter an Order scheduling hearing. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**911-018/PI-117:** In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish audit requirements related to the Wireless Enhanced 911 Fund. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order regarding Audit Waiver requests. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## **NATURAL GAS DEPARTMENT**

**E-2534:** In the Matter of the Application of Lincoln Electric System, Lincoln, seeking authority to construct, operate and maintain an electric transmission line in Lancaster 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.

**E-2535:** In the Matter of the Application of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Platte County. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an order granting the application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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**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. Nichole Mulcahy informed the Commission a notice of extension was received from the parties that they have agreed to extend the negotiation deadline to November 4, 2024.

**NG-112.4:** In the Matter of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a 2025 Systems Safety and Integrity Rider. Nichole Mulcahy informed the Commission that a hearing officer order was entered setting the hearing for November 6, 2024, at 1:30 p.m. in the Commission Hearing Room.

## TRANSPORTATION DEPARTMENT

**B-1808.03:** In the Matter of Handivan Transports, Inc., Papillion, seeking voluntary cancellation and revocation of its Certificate of Public Convenience and Necessity in Docket B-1808. to enter an Order Granting Cancellation of Certificate No. B-1808 and Dismissing Show Cause; and

**B-1897.03:** In the Matter of Stutheit Transportation Services, Inc., Papillion, seeking voluntary cancellation and revocation of its Certificate of Public Convenience and Necessity in Docket B-1897. Motion made by Commissioner Tim Schram, seconded by Commissioner Christian Mirch to enter an Order Granting Cancellation of Certificate No. B-1897 and Dismissing Show Cause. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2032: In the Matter of the Application of Prestige Experiences LLC, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party service over regular routes in Lancaster County and between points in Lancaster, Hall, and Buffalo counties, and between said counties, over irregular routes. HHS Designation: No. to enter an Order Dismissing Application;

B-2037: In the Matter of the Application of Steele Events, LLC d/b/a Steele Pro Party Bus, Lincoln, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party service between all points in Nebraska over irregular routes. HHS Designation: No. to enter an Order Dismissing Application; and

**B-2040:** In the Matter of the Application of Raah Nissi Chauffer's LLC d/b/a Raah Nissi Chauffeur's, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by sedan, bus, van, and SUV in open class service between points in Douglas, Lancaster, Dodge, Washington, and Cass counties, and between said counties, over irregular routes. HHS Designation: Yes. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order Dismissing Application.

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

**B-2117:** In the Matter of the Application of Visats Non Emergency Medical Transport, LLC, Lincoln, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers by sedan, van, and SUV in Open Class service in and between points within Lancaster, Seward, Douglas, York, Sarpy, Cass, Otoe, Butler, Clay, Hamilton, Gage, Johnson, Fillmore, and Hall 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. 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.

**ML-66:** In the Matter of the Application of Tetris Moving, 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 Eric Kamler, 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-2115.01r:** In the Matter of the Application of Trusted Transit NEMT, LLC, 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 Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

In the matter of completed Household Goods Mover License renewals. Dillon Keiffer-Johnson reports on the renewals of Senior Moving Services, LLC (ML-41) and Dale Bierman d/b/a Dolly Giant Movers (ML-52).

## GRAIN DEPARTMENT

**GW/GD-2024-001:** In the Matter of the Commission, on its own motion, seeking to open a docket to amend Title 291, Chapter 8, Grain Warehouse and Grain Dealer Rules and Regulations for general cleanup and updates and to comply with Nebraska Legislative Bill 262 (2024). Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler to enter an Order closing docket. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**GW-153:** In the Matter of the Application of Farmers Cooperative Company, Lincoln, Nebraska requesting a deductible on its stock

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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.

**GD-2189:** In the Matter of the Application of Bossen Livestock Company dba Bossen Feeding Company, Arcadia, Nebraska, seeking approval of Grain Dealer License. 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

Executive Director's recommendation to approve Cullen Robbins to travel to and attend the FCC Intergovernmental Advisory Committee meeting in Washington, D.C., from September 25, 2024 to September 27, 2024, with all 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 Terri Fritz to travel to and attend the 2024 AGRO Conference in Oklahoma City, Oklahoma from October 6, 2024 to October 10, 2024 with all expenses to be paid by the Commission. Motion made by Commissioner Kevin Stocker, 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 Matt Gross to travel to and attend the 2024 AGRO Conference in Oklahoma City, Oklahoma from October 7, 2024 to October 10, 2024 with all expenses to be paid by the Commission. Motion made by Commissioner Kevin Stocker, 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 Jerry Kile to travel to and attend the 2024 AGRO Conference in Oklahoma City, Oklahoma from October 7, 2024 to October 10, 2024 with all 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.

Executive Director's recommendation to approve Alex Timperley to travel to and attend the NARUC Rate School in Clearwater Beach, Florida from October 13, 2024 to October 19, 2024 with all expenses to be paid by the Commission. Motion made by Commissioner Tim Schram, seconded by Commissioner Kevin Stocker. 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 the FY2025-FY2027 biennial budget request. 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 the minutes for the July 2024 Commission Meetings. Motion made by Commissioner Tim Schram, seconded by Commissioner Eric Kamler Commissioner's travel expense budget. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

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The meeting adjourned at 10:36 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 September 24, 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 September 23, 2024.

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Chair

Executive Director

PRELIMINARY