

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 7, 2025

Page 1

Notice was duly published December 23, 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 January 7, 2025, 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, Eric Kamler, Christian Mirch, 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:

ELECTION OF COMMISSION OFFICERS

Election of Commission Chair. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Kevin Stocker to elect Commissioner Tim Schram as Commission Chair. Motion passed with Commissioners Christian Mirch, Kevin Stocker, Tim Schram, and Dan Watermeier voting AYE, and Commissioner Eric Kamler present not voting.

Election of Commission Vice Chair. Motion made by Commissioner Christian Mirch, seconded by Commissioner Tim Schram to elect Commissioner Kevin Stocker as Commission Vice Chair. Motion passed with Commissioners Christian Mirch, Kevin Stocker, and Tim Schram voting AYE, Commissioner Dan Watermeier voting NAY, and Commissioner Eric Kamler present not voting.

At this point, Commissioner Schram accepted the gavel and chaired the remainder of the meeting.

COMMUNICATIONS DEPARTMENT

C-5069/ PI-226: In the Matter of the Nebraska Public Service Commission, on its own motion, to implement LB 641 (2019). Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler to enter an Order approving 211 information and referral network grant, to United Way of the Midlands. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

C-5609: In the Matter of the Application of ImOn Communications, LLC, Cedar Rapids, Iowa, seeking authority to provide competitive local exchange and interexchange telecommunications services within the State of Nebraska. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch to enter an Order approving CLEC and IXC application of ImOn Communications, LLC. Motion passed with

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 7, 2025

Page 2

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

C-5616: In the Matter of the Application of Northeast Nebraska Telephone Company of Jackson, Nebraska, seeking authority to provide competitive local exchange and interexchange telecommunications services within the State of Nebraska. 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-5619: In the Matter of the Application of Brian Samuelson, Polk, seeking authority to receive advanced telecommunications capability service from the Hordville Exchange of the Hamilton Telephone Company. Motion made by Commissioner Kevin Stocker, 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.

C-5620: In the Matter of the Application of Jared & Kelli Hodgson, Ayr, seeking authority to receive advanced telecommunications capability service from the Blue Hill Exchange of Glenwood Telephone Membership Corporation. Motion made by Commissioner Christian Mirch, 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-1, PO #6: In the Matter of the Commission, on its own Motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Consolidated Telephone Company. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch Cullen Robbins seeks Commission approval to grant audit extension request to January 31, 2025 for the 2023 NUSF payment audit, otherwise due December 31, 2024. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

NUSF-33/ PI-68: In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to investigate the audit requirements related to the Nebraska Universal Service Fund. Motion made by Commissioner Eric Kamler, seconded by Commissioner Christian Mirch to enter an Order granting audit waiver requests. 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 Eric Kamler, seconded by Commissioner Christian Mirch to enter an Order granting request to

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 7, 2025

Page 3

cancel awarded project. 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 December 2024.

TRANSPORTATION DEPARTMENT

B-2113: In the Matter of the Application of Comfort Cruise Mobility, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class and service by sedan and SUV and in Charter service by bus, in and between points in Douglas and Sarpy counties over irregular routes. HHS Designation: Yes;

B-2115: In the Matter of the Application of Trusted Transit NEMT, LLC, Bellevue, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by sedan, SUV, and van between all points in Nebraska over irregular routes. HHS Designation: Yes; and

B-2123: In the Matter of the Application of ZOGAR Wheels, LLC, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by van between all points in Nebraska 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 Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order of Pending Dismissal. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2125: In the Matter of the Application of MEC Consulting, LLC, Bellevue, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by sedan, van, and SUV, in and between points in Cass, Douglas, Sarpy, and Washington counties over irregular routes. HHS Designation: No. Motion made by Commissioner Dan Watermeier, 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-2106.01r: In the Matter of the Application of Lincoln VIP Rides, LLC, Lincoln, 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 Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order Granting Rates. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 7, 2025

Page 4

In the Matter of railroad employee carrier license renewals for 2025. Dillon Keiffer-Johnson reports that Railcrew Xpress, LLC and Renzenberger, Inc. completed their renewals.

In the Matter of completed Household Goods Mover License renewals. Dillon Keiffer-Johnson reports on the renewals of Maxx Moving Hauling & Delivery LLC ML-56 and Flat Rate Movers Black Belt Movers ML-19.

GRAIN DEPARTMENT

GW-19: In the Matter of the Application of J.E. Meuret Grain Co., Inc., Brunswick, Nebraska requesting a deductible on its stock insurance higher than \$10,000;

GW-405: In the Matter of the Application of Farmers Cooperative, Pilger, Nebraska requesting a deductible on its stock insurance higher than \$10,000;

GW-697: In the Matter of the Application of Ochsner Grain Co., Inc., Madison, Nebraska requesting a deductible on its stock insurance higher than \$10,000; and

GW-2190: In the Matter of the Application of Manning Grain Company, Burress, 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.

GWC-461: In the Matter of Terri Fritz, Director, Grain Warehouse and Grain Dealer Departments of the Nebraska Public Service Commission, Complainant, v. NSG Logistics, LLC & The Anderson's Inc., Respondents. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Eric Kamler Terri Fritz, requests Commission approval to open Complaint against NSG Logistics, LLC & The Anderson's Inc. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GW-697: In the Matter of Ochsner Grain Co., Inc. Madison, Nebraska: Terri Fritz reports on the shortage of soybeans.

GW-1119: In the Matter of Trotter, Inc., Arcadia, Nebraska: Terri Fritz reports on the shortage of Oats.

GW-1036 et al.: In the Matter of the attached list of completed grain warehouse license renewals for 4th Quarter of 2024. Terri Fritz reports on the 4th Quarter grain warehouse license renewals.

GD-3067/GDC-460: In the Matter of Terri Fritz, Grain Director, Grain Warehouse Department, Nebraska Public Service Commission, Complainant, vs. Home City Grain, Inc., Respondent. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order Dismissing Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 7, 2025

Page 5

GD-3075/GDC-462: Terri Fritz, Grain Director, Grain Dealer Department of the Nebraska Public Service Commission, Complainant, v. Bay State Milling Company, Respondent. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler Terri Fritz, requests Commission approval to open Complaint against Bay State Milling Company. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GD-1036 et al.: In the Matter of the attached list of completed grain dealer license renewals for the 4th Quarter of 2024. Terri Fritz reports on the 4th Quarter grain dealer license renewals.

GDC-459/GD-2675: In the Matter of Robert Leigh, Senior Grain Inspector of the Nebraska Public Service Commission Grain Dealer Department, Complainant, vs. G B B Grain Co., Respondent. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Christian Mirch to enter an Order approving motion to withdraw, and dismissing Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

LEGISLATIVE

Discussion on pending legislation. No Motion was made.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve Nathan Wolfgang to travel to and attend the FRA General Fundamentals Training in Oklahoma City, Oklahoma from January 13, 2025 to January 17, 2025 with expenses to be paid by the Commission. Motion made by Commissioner Eric Kamler, 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 recommendation to approve Greg Walklin to travel to and attend the NARUC Winter Policy Summit in Washington, D.C. from February 22, 2025 to February 25, 2025 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 recommendation to approve Commissioner Dan Watermeier to travel to and attend the NARUC Winter Policy Summit in Washington, D.C. from February 22, 2025 to February 26, 2025 with expenses to be reimbursed 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 recommendation to approve the Commission Meeting minutes for December 2024. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Christian Mirch. Motion passed with

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

January 7, 2025

Page 6

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

Commissioners' directive to the Executive Director to return staff to pre-pandemic office work policies, subject to necessary revisions and exceptions. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker. Motion passed with Commissioners Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE, and Commissioner Eric Kamler present not voting.

The meeting adjourned at 10:32 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 January 14, 2025, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on January 13, 2025.



Chair



Executive Director