

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published February 10, 2025, 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 February 19, 2025, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Commissioner Tim Schram called the regularly scheduled meeting to order at 9:59 a.m. with Commissioners Eric Kamler, Christian Mirch, Kevin Stocker, and Dan Watermeier present in the Commission Hearing Room. Chair Schram 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-5617:** In the Matter of the Application of Alan & Jeanette Koelling, Ord, seeking authority to receive advanced telecommunications capability service from the North Loup Exchange of the Nebraska Central Telephone Company. to enter an Order to approve the Application; and

**C-5628:** In the Matter of the Application of Matthew Green, Marquette, seeking authority to receive advanced telecommunications capability service from the Hordville Exchange of the Hamilton Telephone Company. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Christian Mirch to enter an Order to approve the Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**C-5629:** In the Matter of the Application of Nebraska Central Telephone Company, Gibbon, Nebraska, seeking approval of an Interconnection Agreement with Level 3 Communications, LLC, Broomfield, Colorado. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order to approve the Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**NUSF-7.07:** In the Matter of the Application of Qwest Corporation for issuance by the Commission of an Order waiving certain requirements in the Opinion and Findings in Application No. C-1628 associated with the NUSF support calculation in the transition period. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order approving Stipulation and closing docket. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**TRS-30:** In the Matter of Cullen Robbins, Director of the Communications Department of the Nebraska Public Service Commission, Complainant, v. Dalton Telephone Company, LLC, Respondent. Motion made

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by Commissioner Kevin Stocker, seconded by Commissioner Dan Watermeier to enter an Order dismissing the Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## **NATURAL GAS DEPARTMENT**

**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-8; and

**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. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to enter assessment order CD-5. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

## **TRANSPORTATION DEPARTMENT**

**B-1705.03:** In the Matter of the Application of Ability Wheel Chair Transportation, LLC, Hastings, seeking to amend its contract carrier authority and remove all current restrictions by extending its authority to provide transportation as a contract carrier in Nebraska intrastate commerce in the transportation of passengers by van and wheelchair accessible 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 Withdrawing Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-2121:** In the Matter of the Application of I'll Take You There Transportation Services, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by van, sedan, and SUV, in and between points in Douglas, Sarpy, and Lancaster counties over irregular routes. HHS Designation: Yes. Motion made by Commissioner Dan Watermeier, 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-68:** In the Matter of the Application of Easy As Pie Moving Co., LLC, Bellevue, seeking a license to provide household goods moving

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services in Nebraska intrastate commerce between all points in Nebraska over irregular routes. Motion made by Commissioner Christian Mirch, seconded by Commissioner Eric Kamler to enter an Order Granting License. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**MT-0001.05:** In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to address certain carriers in non-compliance with annual renewal requirements. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Kevin Stocker to enter an Order to Dismiss, In Part, Sustain, In Part. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

**B-1624.02r:** In the Matter of the Application of Windstar Lines, Inc., Carroll, Iowa, 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.

**B-2118.01r:** In the Matter of the Application of Long Drive Luxury Shuttle, 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 Dan Watermeier, 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.

**B-2138.01r:** In the Matter of the Application of Meba Logistics, LLC, d/b/a Meba Logistics, 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 Christian Mirch, 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.

## GRAIN DEPARTMENT

**GW-378:** In the Matter of Battle Creek Farmers Cooperative, Non-Stock dba Farmers Pride, Battle Creek, Nebraska requesting a deductible on its stock insurance higher than \$10,000. to enter an Order granting application; and

**GW-1679:** In the Matter of Herbert Feed & Grain Co, Verdigre, Nebraska requesting a deductible on its stock insurance higher than \$10,000. 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.

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## **LEGISLATIVE**

**LB 176:** Discussion and action on pending legislation. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Eric Kamler to hold neutral position and provide testimony. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**LB 576:** Discussion and action on pending legislation. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to hold neutral position and provide testimony. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**LB 227:** Discussion and action on pending legislation. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier to support and provide testimony. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**LB 271:** Discussion and action on pending legislation. Motion made by Commissioner Christian Mirch, seconded by Commissioner Dan Watermeier to support and submit a letter. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**LB 444:** Discussion and action on pending legislation. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to hold a neutral position and monitor. Original Motion amended by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to hold a neutral position and provide testimony. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**LB 465:** Discussion and action on pending legislation. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Dan Watermeier to oppose and provide testimony. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**Budget #1:** Discussion and action on budget matters related to open Commission positions. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Kevin Stocker to support and provide testimony clarifying the actual open positions at the Commission. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**Budget #2:** Discussion and action on budget matters related to the Broadband Bridge Program. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Eric Kamler to suggest a dollar amount of 10 million for both the first and second year to complete the administration of funding and provide testimony to the Legislature

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explaining as much. Motion failed with Commissioners Eric Kamler and Dan Watermeier voting AYE, and Commissioners Christian Mirch, Tim Schram and Kevin Stocker voting NAY; and  
Budget #2: Discussion and action on budget matters related to the Broadband Bridge Program. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to support and provide testimony emphasizing the need for the Program. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**Budget #4:** Discussion and action on budget matters related to a) Natural Gas, b) pipeline fund, c) 211 cash fund, and d) Nebraska Competitive Telephone Marketplace Fund reductions. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Eric Kamler to oppose point 4a and provide testimony, and support points 4b, 4c, and 4d. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

## **GENERAL ADMINISTRATION**

Executive Director's recommendation for the Commission to enter into a contract with Savant Learning System, Inc. ("Virtual Academy") which provides the Commission access to Virtual Academy's online training services. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

Executive Director's recommendation to approve Josh Smith to travel to and attend the FRA Railroad Safety Training in Atlanta, Georgia from March 30, 2025 to April 4, 2025 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 Nathan Wolfgang to travel to and attend the FRA Railroad Safety Training in Atlanta, Georgia from March 30, 2025 to April 4, 2025 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 Dillon Keiffer-Johnson to travel to and attend the FRA Railroad Safety Training in Atlanta, Georgia from March 30, 2025 to April 4, 2025 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.

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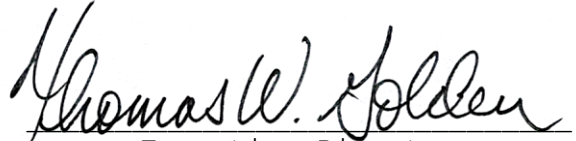
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The meeting adjourned at 11:14 a.m. with Commissioners Tim Schram, Eric Kamler, Christian Mirch, Kevin Stocker, and Dan Watermeier present. The next regularly scheduled meeting will be held on March 4, 2025, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on March 3, 2025.



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Chair



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Executive Director