

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Minutes

April 15, 2025

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Notice was duly published April 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 April 15, 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. Chair Schram announced a Commission staff's retirement from the Commission.

Attention was called to the following proceedings:

## **COMMUNICATIONS DEPARTMENT**

**C-5600:** In the Matter of the Nebraska Public Service Commission, on its own motion, to administer the Precision Agriculture Infrastructure Grant Program in the 2024-2025 program year. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Eric Kamler to enter an Order issuing grant awards and reopening Application Period. Motion passed with Commissioners Eric Kamler, Tim Schram and Dan Watermeier voting AYE, Commissioner Christian Mirch voting NAY, and Commissioner Kevin Stocker present not voting.

**C-5625:** In the Matter of the Commission on its own motion, seeking to determine the surcharge for the statewide Telecommunications Relay System (TRS) to be effective July 1, 2025, in the State of Nebraska. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch to enter an Order setting the surcharge. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**C-5638:** In the Matter of the Application of Global Crossing Telecommunications, Inc., Monroe, Louisiana, seeking to discontinue the provisioning of long-distance voice services in Nebraska. 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.

**C-5646:** In the Matter of the Application of Northeast Nebraska Telephone Company, Jackson, Nebraska, seeking approval of an Interconnection Agreement with Windstream Nebraska, Inc., Little Rock, Arkansas. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler to enter an Order approving adoption of Interconnection Agreement. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

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## **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-10;

**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. to enter assessment order CD-8; and

**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 Kevin Stocker to enter assessment order CD-3. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

Nichole Mulcahy reported a total number of 15 consumer complaints and inquiries received at the Commission during the second quarter of 2025. For each company: Black Hills Energy - 9; NorthWestern - 3; WoodRiver - 1; and Other Entities - 2.

**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 May 5, 2025.

## **TRANSPORTATION DEPARTMENT**

**B-2070.02:** In the Matter of the Application of Deens T.H.D. Enterprise, LLC, Omaha, seeking to extend its authority by removing its current restriction against operating more than two (2) vehicles at any given time and by adding the ability to provide transportation of passengers in open class service by van between points in Burt, Dodge, and Washington counties over irregular routes. HHS Designation: Yes. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Christian Mirch to enter an Order Granting Extension of Authority. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**B-2076:** In the Matter of the Application of Happy Hour Party Bus, LLC, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by Bus in Special Pary service between all points in Nebraska over irregular routes. HHS Designation: No. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker to enter an Order Granting Application. Motion passed

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

**B-2122:** In the Matter of the Application of Hamza Logistics, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by van and SUV in and between points in Douglas, Sarpy, Saunders, and Lancaster counties over irregular routes. HHS Designation: Yes. 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.

**B-2145:** In the Matter of the application of Tama Transportation, LLC, Omaha, seeking to provide transportation as a contract carrier in Nebraska intrastate commerce in Open Class by van in and between points in Douglas county, on the one hand, and on the other hand, points in Washington and Sarpy counties over irregular routes pursuant to contracts with Express Home Healthcare, the North Omaha Area Health Clinic, and 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: Service provided to 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 are limited to clients of Express Home Healthcare and the North Omaha Area Health Clinic. 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.

**B-2150:** In the Matter of the Application of Qabno Transportation Service, LLC, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by sedan, van, and SUV in and between points within Douglas, Sarpy, and Washington counties 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 Eric Kamler, seconded by Commissioner Christian Mirch to enter an Order Granting Withdrawal of Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

**MT-0005:** In the Matter of the Nebraska Public Service Commission, on its Own Motion, to require Ability Wheelchair Transportation, LLC; Big Premier Limousine/TAA, LLC d/b/a BIG Premier Limousine; Davis Entertainment, LLC d/b/a Ollie the Trolley; Down The Hatch; Family Empowerment Service, Inc.; Flatland Rentals, LLC; Kidcaboo, LLC; Medics At Home, Inc.; Nebraska Urban Indian Health Coalition; No Prob Limo, LLC; Omaha Brew Bus, LLC; Serving Nebraska Health Transportation Agency; and Unity Transportation Services, Inc; to show cause why

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their authorities should not be revoked and why a civil penalty should not be assessed. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order to Dismiss, In Part. 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 March, 2025.

## **GRAIN DEPARTMENT**

**GD-3084:** In the Matter of the Application of Frey Commodities USA Inc., Philadelphia, Pennsylvania, seeking approval of Grain Dealer License. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker to enter an Order Granting Grain Dealer License. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker and Dan Watermeier voting AYE.

## **GENERAL ADMINISTRATION**

Executive Director's recommendation to approve Dave Sankey to travel to and attend the National Association of State 911 Administrators (NASNA) meeting and the National Emergency Numbering Associations (NENA) conference in Long Beach and Anaheim, California from June 20, 2025 to June 26, 2025 with registration fees to be paid by the Commission and travel and lodging to be reimbursed by the Commission; and

Executive Director's recommendation to approve James Almond to travel to and attend the National Association of State 911 Administrators (NASNA) meeting and the National Emergency Numbering Associations (NENA) conference in Long Beach and Anaheim, California from June 20, 2025 to June 26, 2025 with expenses to be paid by the Commission. Motion made by Commissioner Christian Mirch, 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 Christian Nielsen to travel to and attend the National Emergency Numbering Associations (NENA) conference in Long Beach, California from June 22, 2025 to June 26, 2025 with expenses to be paid by the Commission. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker. 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 10:30 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 April 29, 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 April 28, 2025.



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Chair



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Executive Director