

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

Minutes

April 29, 2025

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Notice was duly published April 17, 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 29, 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 10:00 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-5600: In the Matter of the Nebraska Public Service Commission, on its own motions, to administer the Precision Agriculture Infrastructure Grant Program in the 2024-2025 program year. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler, to enter an Order Nunc Pro Tunc. Motion passed with Commissioners Eric Kamler, Tim Schram and Dan Watermeier voting AYE, and Commissioners Christian Mirch and Kevin Stocker voting NAY.

C-5643: In the Matter of the Application of Abel Martinez, Fordyce, seeking authority to receive advanced telecommunications service from the Hartington Exchange of Hartington Telecommunications Co., Inc. 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-5644: In the Matter of the Application of HunTel Communications, Inc., Blair, Nebraska, seeking authority to withdraw its local and interexchange certificates of authority and cancel its tariffs. Motion made by Commissioner Eric Kamler, seconded by Commissioner Kevin Stocker, to enter an Order Granting Withdrawal. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NUSE-37.455: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Estech Systems, Inc., Respondent. to enter an Order Dismissing Complaint; and

NUSE-37.462: In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service

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Commission, Complainant, v. HyperCube Networks, LLC, 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.

NATURAL GAS DEPARTMENT

NG-123: In the Matter of the Application of Glencore Ltd, New York, New York, seeking authority to operate as a Competitive Natural Gas Provider in the State of Nebraska. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Christian Mirch, to enter an order granting the application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

NG-13: In the Matter of the Commission, on its own motion, to evaluate and establish, on a quarterly basis, an assessment for jurisdictional utilities pursuant to the State Natural Gas Regulation Act, Neb. Rev. Stat. §66-1801 et seq. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler, to enter Progression Order #87. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

TRANSPORTATION DEPARTMENT

B-2111: In the Matter of the Application of Badal, LLC d/b/a My Transportation, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by sedan and SUV 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 Granting Application as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2119: In the Matter of the Application of Home Care Advantage, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by sedan and van between points in Douglas, Washington, Burt, Cuming, Stanton, Madison, Boone, Wheeler, Wayne, Platte, Colfax, Butler, Polk, Seward, Saline, Fillmore, York, Hamilton, Clay, Adams, Sarpy, Hall, Cass, Lancaster, Saunders, Dodge, Kearney, Merrick, Nance, Greeley, Howard, and Hall counties over irregular routes pursuant to 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

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Commissioner Christian Mirch, seconded by Commissioner Eric Kamler, to enter an Order Granting Application as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2127: In the Matter of the Application of Blue Oasis Transportation Corporation, Omaha, 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 Cass, Dodge, Douglas, Lancaster, Otoe, Sarpy, Saunders, Seward, and Washington 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-2129: In the Matter of the Application of 402 Transportation, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers in Open Class service by sedan, SUV, and van, in and between points within Douglas, Cass, Dodge, Sarpy, Washington, and Saunders 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 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.

B-2137: In the Matter of the Application of Maryan Transportation, LLC, Omaha, 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 Douglas, Sarpy, Lancaster, Adams, Boyd, Brown, Dodge, Dixon, Dawson, Dakota, Cass, Hall, Hamilton, Sioux, Seward, Colfax, Cuming, Wayne, Webster, Wheeler, Valley, and Washington counties, on the one hand, and on the other hand, points in Nebraska over irregular routes. HHS Designation: Yes. Motion made by Commissioner Christian Mirch, seconded by Commissioner Kevin Stocker, to enter an Order Granting Application as Amended. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

B-2141: In the Matter of the Application of I See You Transportation, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in Open Class service by van in and between points in Douglas, Sarpy, Saunders, Dodge, Washington, and Lancaster counties over irregular routes. HHS Designation: Yes. 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.

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B-2140.01r: In the Matter of the Application of Sedic Group, 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 Kevin Stocker, 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.

MCC-3209: In the Matter of Dillon Keiffer-Johnson, Director of the Motor Transportation Department of the Nebraska Public Service Commission, Complainant, v. Tetris Moving, LLC, Omaha, Respondent. Motion made by Commissioner Christian Mirch, seconded by Commissioner Dan Watermeier, to enter an Order Approving Stipulation and Dismissing Complaint. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GRAIN DEPARTMENT

GW-471: In the Matter of the Application of Farmers Union Cooperative Company, Friend, Nebraska requesting a deductible on its stock insurance higher than \$10,000. to enter an Order Approving Application;

GW-2174: In the Matter of the Application of Pender Grain Elevator, Inc., Pender, Nebraska requesting a deductible on its stock insurance higher than \$10,000. to enter an Order Approving Application; and

GW-2197: In the Matter of the Application of Jelinek Custom Cleaning, Inc., Alliance, Nebraska requesting a deductible on its stock insurance higher than \$10,000. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler, to enter an Order Approving Application. Motion passed with Commissioners Eric Kamler, Christian Mirch, Tim Schram, Kevin Stocker, and Dan Watermeier voting AYE.

GW-153 et al.: In the Matter of the attached list of completed grain warehouse license renewals for 1st Quarter of 2025. Terri Fritz reports on the 1st Quarter grain warehouse renewal licenses.

GW-852: In the Matter of Country Partners Cooperative, Spalding, Nebraska: Terri Fritz reports on shortage of Milo.

GD-3082: In the Matter of the Application of Mark Miller, LLC, Bloomfield, Nebraska, seeking authority to operate as a Grain Dealer. Motion made by Commissioner Eric Kamler, 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.

GD-3085/GDC-463: In the Matter of Terri Fritz, Grain Director, Grain Warehouse and Dealer Department of the Nebraska Public Service Commission, Complainant, v. Dehy Alfalfa Mills, Inc. Motion made by Commissioner Kevin Stocker, seconded by Commissioner Eric Kamler, to grant Terri Fritz approval to open a Complaint against Dehy Alfalfa

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

GD-153 et al.: In the Matter of the attached list of completed grain dealer license renewals for 1st Quarter of 2025. Terri Fritz reports on the 1st Quarter grain dealer renewal licenses.

RULES AND REGULATIONS

R&R 213: In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 15, Enhanced Wireless 911 Services Rules and Regulations for general cleanup and updates and for consistency with Nebraska Legislative Bill 362 (2025). Motion made by Commissioner Dan Watermeier, seconded by Commissioner Eric Kamler, to enter an Order Opening Docket, Releasing Proposed Rules, Seeking Comments due on or before 4:00 p.m. on Friday, May 23, 2025, and Setting Public Hearing for Tuesday, June 3, 2025 at 11:00 a.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.

GENERAL ADMINISTRATION

Executive Director's recommendation to approve the Commission Meeting minutes for February and March 2025. 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.

The meeting adjourned at 10:32 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 May 6, 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 May 5, 2025.

Chair

Executive Director