

Notice was duly published September 27, 2016 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on October 4, 2016 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chairman Tim Schram called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present and Commissioner Rod Johnson excused. Chairman 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 comments were received.

Attention was called to the following proceedings:

Tuesday, October 4, 2016:

11:00 Commission Hearing Room, Lincoln  
MCC-3191 In the Matter of Mark J. Breiner, Director of the Motor Transportation Department of the Nebraska Public Service Commission, Complainant, v. Kyle Christensen, Alda, Defendant. Commissioner Gerald Vap presiding as Hearing Officer.

Wednesday, October 12, 2016:

10:00 Commission Hearing Room, Lincoln  
Commission Meeting

1:30 Commission Hearing Room, Lincoln  
Rule and Regulation #197 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to amend Title 291, Chapter 11, Automatic Dialing-Announcing Devices Rules and Regulations, to review the rules and update and clarify provisions of the rules. Commissioner Tim Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4866 In the Matter of the Application of GoDaddy.com, LLC, Scottsdale, Arizona, seeking authority to operate as an interexchange carrier of telecommunications services within the State of Nebraska. Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

October 4, 2016

Page 9609

COMMUNICATIONS DEPARTMENT (Cont.)

C-4867 In the Matter of the Application of Larry Toben, Doniphan, seeking authority to receive advanced telecommunications service from the Doniphan Exchange of Hamilton Telephone Company: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Jerry Vap, Frank Landis, Crystal Rhoades, and Tim Schram voting AYE, and Commissioner Rod Johnson excused not voting.

Cullen Robbins informed the Commission of the telecommunications complaints and outages received by the Communications Department during the preceding month.

Telephone Company	City	Outage Date	Outage Time	Completion Date	Completion Time	Duration Hrs:Min:Sec	Cause of Outage	Number of Access Lines	
CenturyLink	Grand Island	9/9/2016	11:53:00 AM	9/9/2016	3:15:00 PM	3:22:00	Interconnect Equipment		GRIB RCAG Remote Communications Air/Ground circuits are out of service.
Windstream	Lincoln	9/20/2016	4:53:00 PM	9/22/2016	11:30:00 AM	42:37:00	Vandalism	111	Service would have been restored as each customers cable pair was hooked back up.
American Broadband	Meadow Grove	9/26/2016	11:00:00 AM	9/26/2016		#####	Equipment Failure	142	
Great Plains	Northbend	9/27/2016	10:58:00 AM	9/28/2016	2:30:00 AM	15:32:00	Bad Rectifier	75	
Hamilton Telephone	Aurora, Giltner and Phillips	9/29/2016	10:53:00 PM	9/29/2016	11:02:00 PM	0:09:00	Maintenance testing	859	

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Sue Vanicek informed the Commission that in addition to the October 26, 2016, Wireless E911 Advisory Board meeting previously noticed, that an additional meeting of the Wireless E-911 Advisory Board has been scheduled for Thursday, October 13, 2016, at 10:00 a.m. at the Buffalo County Sheriff's Office, Multipurpose Room, 2025 Avenue "A", Kearney.

NUSF-37.331 In the Matter of the Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department of the Nebraska Public Service Commission, Complainant, v. Convergia, Inc., Respondent(s): Commissioner Tim Schram presiding as Hearing Officer. Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an Order dismissing the complaint and cancelling the hearing. Motion passed with Commissioners Crystal Rhoades, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

## NATURAL GAS DEPARTMENT

- NG-0072.1 In the Matter of SourceGas Distribution LLC, Golden, Colorado, seeking approval to adjust an infrastructure system replacement cost recovery charge, pursuant to Sections 66-1865 and 66-1866 of the State Natural Gas Regulation Act. Commissioner Rod Johnson presiding as Hearing Office;
- NG-0074.1 In the Matter of Black Hills/Nebraska Gas Utility Company, LLC d/b/a Black Hills Energy, Omaha, seeking approval of an infrastructure system replacement cost recovery charge, pursuant to Sections 66-1865 and 66-1866 of the State Natural Gas Regulation Act. Commissioner Tim Schram presiding as Hearing Officer;
- NG-0078 In the Matter of the Application of SourceGas Distribution LLC, Golden, Colorado, seeking an order authorizing it to put into effect a system safety and integrity rider tariff and a system safety and integrity rider charge. Commissioner Rod Johnson presiding as Hearing Officer;
- NG-0078.2 In the Matter of the Application of SourceGas Distribution LLC, Golden, Colorado, seeking an order authorizing it to increase the System Safety and Integrity Rider Charge. Commissioner Rod Johnson presiding as Hearing Officer; and
- NG-0086 In the Matter of the Application of Black Hills/Nebraska Gas Utility Company, LLC, d/b/a Black Hills Energy, Papillion, seeking Approval of its Cost of Service Gas Hedge Agreement With Black Hills Utility Holdings, Inc. Commissioner Frank Landis presiding as Hearing Officer:
- Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter orders Assessment Order BE-0010 in NG-0072.1; Assessment Order BE-007 in NG-0074.1; Assessment Order BE-0018 in NG-0078; Assessment Order BE-009 in NG-0078.2; and Assessment Order BE-0019 in NG-0086. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Scott Coburn reported a total number of 8 consumer complaints and inquiries received at the Commission during September, 2016. For each company: Black Hills Energy - 0; Black Hills Distribution - 4; and NorthWestern - 0; and Other Entities - 4.

Scott Coburn reported that no natural gas accidents were reported to the Commission during September, 2016. There was one reported Black Hills service outage in Blair, Nebraska on September 18, 2016.

RULES AND REGULATIONS

Rule and Regulation #198 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 7, Transmission Lines Rules and Regulations, to adopt the 2017 edition of the National Electrical Safety Code as the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines. Motion made by Commissioner Jerry Vap, seconded by Commissioner Crystal Rhoades, to enter an order opening docket, seeking comments and notice of hearing for November 8, 2016, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting.

Commissioner Rod Johnson entered the Commission Hearing Room at 10:14 a.m.

TRANSPORTATION DEPARTMENT

B-1584 In the Matter of Robert Bass d/b/a Choice Medical Transportation, Lavista. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Frank Landis, to enter an order revoking certificate. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

B-1927 In the Matter of Midwest Medivan Transport Company, LLC, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by van within the state of Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their luggage is not authorized. HHS Designation: No: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GW-22 In the Matter of the attached list of completed list of et al warehouse license renewals for the 3rd quarter of 2016. John Fecht reported on additional 3rd quarter grain warehouse renewal licenses.

GW-371 Prinz Grain & Feed, Inc., West Point, Nebraska: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to require Prinz Grain & Feed, Inc., to provide to the Commission an independent CPA reviewed or audited 6 month interim financial statement dated October 31, 2016. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

October 4, 2016

Page 9612

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GD-22 In the Matter of the attached list of completed list of  
et al grain dealer license renewals for 3rd quarter of 2016.  
John Fecht reported on additional 3rd quarter grain dealer  
renewal licenses.

Commissioner Tim Schram inquired as to grain warehouse  
adding storage space.

GENERAL ADMINISTRATION

Chairman Schram invited the public to address the  
Commission. No public comments were received.

Motion made by Commissioner Frank Landis, seconded by  
Commissioner Rod Johnson, to approve the Executive Director's  
recommendation to approve Commission invoices. Motion passed with  
Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram  
and Jerry Vap voting AYE.

Central Finance - Personnel	\$	1,598.00
Central Services - Materiel		919.11
Hewlett Packard		2,573.49
Crystal Rhoades		42.27

Motion made by Commissioner Frank Landis, seconded by  
Commissioner Jerry Vap, to approve the Executive Director's  
recommendation to enter into a Master Strategy Plan Contract with  
Mission Critical Partners effective October 4, 2016. Motion passed  
with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim  
Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by  
Commissioner Rod Johnson, to approve the Executive Director's  
recommendation to approve the Space Allocation agreement with the  
Department of Administrative Services effective October 1, 2016.  
Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram  
and Jerry Vap voting AYE, and Commissioner Crystal Rhoades voting NAY.

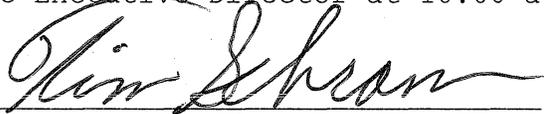
Motion made by Commissioner Frank Landis, seconded by  
Commissioner Rod Johnson, to approve the Executive Director's  
recommendation to execute the Federal Railroad Administration 2017  
Technical Training Funding Agreement effective October 1, 2016. Motion  
passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades,  
Tim Schram and Jerry Vap voting AYE.

October 4, 2016

Page 9613

\*\*\*\*\*

The meeting adjourned at 10:32 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on October 12, 2016 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on October 11, 2016.



Chairman



Executive Director