

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

December 20, 2016

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Notice was duly published December 13, 2016 on Page 4 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on December 20, 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 Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. 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. No announcements were made.

Attention was called to the following proceedings:

Wednesday, December 21, 2016:

10:00 Commission Hearing Room, Lincoln
B-1942 In the Matter of Big A Holdings, LLC, dba OmaLink, Lincoln, seeking to acquire, through transfer, the authority held by Groome Transportation, Inc., in Certificate B-1854. Commissioner Frank Landis presiding as Hearing Officer.

Tuesday, January 10, 2017:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

COMMUNICATIONS DEPARTMENT

C-4877 In the Matter of the Application of Masergy Communications, Inc., Plano, Texas, seeking approval to withdraw its interexchange authority: Motion was made by Commissioner Rod Johnson, 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.

C-4878 In the Matter of the Application of MCImetro Access Transmission Services, LLC, Richmond, Virginia, seeking approval of a name change to MCImetro Access Transmission Services Corp: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

C-4879 In the Matter of the Application of Telecom North America, Inc. d/b/a Telna, Inc., Henderson, Nevada, seeking approval to withdraw its interexchange authority: Motion made by Commissioner Rod Johnson, 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.

COMMUNICATIONS DEPARTMENT (Cont.)

ADC-7 In the Matter of Cullen Robbins, Director of the Communications Department of the Nebraska Public Service Commission, Complainant, v. Smartcall Media Inc., Respondent: Cullen Robbins stated that the respondent agreed to a stipulation and paid a fine. Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order dismissing the complaint. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

C-4875 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a carrier partner for interconnected VoIP provider amendment to the interconnection agreement with Level 3 Communications, LLC, Broomfield, Colorado, previously approved in Docket C-2780: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-024.54 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Onvoy Spectrum, LLC. Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order denying access. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Crystal Rhoades voting NAY.

911-060.10 In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions: Buffalo County; and

911-060.49 In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions: Douglas County: Motion made by

Commissioner Jerry Vap, seconded by Commissioner Crystal Rhoades, to enter an order approving funding for Docket 911-060.10 and an order amending funding for 911-060.49. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-92.46 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: Pinpoint Wireless, d/b/a BLAZE Wireless: Commissioner Frank Landis presiding as Hearing Officer;

NUSF-92.47 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: United States Cellular Corporation: Commissioner Frank Landis presiding as Hearing Officer; and

NUSF-92.48 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: Commissioner Frank Landis presiding as Hearing Officer: Motion made by

Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting, in part, the application for Dockets NUSF-92.46 and NUSF-92.48; and an order granting the application in Docket NUSF-92.47. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-108 In the Matter of the Nebraska Public Service Commission, on its own Motion, seeking to make adjustments to its high-cost distribution mechanism and make revisions to its reporting requirements: Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order seeking further comments, due on or before January 20, 2017, on proposed 2017 distribution calculations. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1695 In the Matter of Kevin M. Jones, d/b/a Jone-Z Party Bus, Omaha: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an order revoking Certificate B-1695. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

B-1871 In the Matter of Big Green Machine Party Bus, LLC, Yutan, seeking to cancel its Certificate of Public Convenience and Necessity issued in Application No. B-1871: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order cancelling Certificate B-1871. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

B-1943 In the Matter of Meltech, Lincoln, seeking authority to operate as a common carrier in Nebraska intrastate commerce in the transportation of passengers in special party and charter bus and van between all points in Nebraska over irregular routes: 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.

B-1945 In the matter of Rapid Shuttle Service, Papillion, seeking authority to operate as a common carrier in Nebraska intrastate commerce in the transportation of passengers to and from schools by van and bus in the Omaha, Papillion, LaVista, Millard, Ralston, and Bellevue area over regular routes: No Motion was made this item was held over and will be addressed at a later date.

BR-515/
B-1927 In the matter of Midwest Medivan Transport Company, Omaha, seeking to amend its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the rates. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GW-615 In the Matter of the attached list of completed list of etal warehouse license renewals for the 4th quarter of 2016. John Fecht reported the 4th quarter grain warehouse renewal licenses.

GD-1036 In the Matter of the attached list of completed list of etal grain dealer license renewals for 4th quarter of 2016. John Fecht reported the 4th quarter grain dealer renewal licenses.

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

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GENERAL ADMINISTRATION (Cont.)

Office Depot	\$	986.34
Purchasing Card-Monroe		7,729.37
Purchasing Card-Pursley		1,098.00
Purchasing Card-Rhoades		753.67
Gerald Vap		972.00

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM	\$	5,620.75
Alternative Hearing		
Beltone		
Sherard Hearing Centers		
Sprint		
Teltex		
Western ENT Associates, PC		
White's Hearing Aid Specialists		

The following invoices were paid between 12/13/16 and 12/19/16 and should be ratified:

Ag Express	\$	4,900.00
Ag Express		1,200.00

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Deputy Director's recommendation to renew the Consulting Services Agreement with Christensen Associates Energy Consulting, LLC, for the provision of economic consulting services, effective January 1, 2017. Commissioner Crystal Rhoades commented that the Commission should request proposals for contracts on a routine basis, in order to get the best rate. Commissioner Tim Schram commented that this particular contract is paid on an as-needed basis. 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 Jerry Vap, seconded by Commissioner Frank Landis, to approve the Deputy Director's recommendation to approve the Sixth Addendum to Contract for Personal GIS Services with GIS Workshop, for a term of one month commencing January 1, 2017 and ending on January 31, 2017. Commissioner Crystal Rhoades commented that this vendor has a history of providing poor and unacceptable service to the Commission and asked that the minutes reflect that the Executive Director should have handled this in a more timely fashion. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Crystal Rhoades voting NAY.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Deputy Director's recommendation to approve the Fifth Addendum to Contract for Remittance System with GIS Workshop, for a term of one year commencing January 1, 2017. Commissioner Rhoades reiterated her comments on the previous vote, and asked that the record reflect her statement that this contract is not a good use of public money. 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 Rod Johnson, seconded by Commissioner Frank Landis, to approve the Deputy Director's recommendation to approve the implementation of a performance review process. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:28 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 January 10, 2017 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 9, 2016.



Chairman



Deputy Director