

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

January 10, 2017
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Notice was duly published January 3, 2017 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 January 10, 2017 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

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Chairman Tim Schram called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Mary Ridder, and Tim Schram 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.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to elect Commissioner Tim Schram as the Commission Chair. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to elect Commissioner Rod Johnson as the Commission Vice Chair. Motion passed with Commissioners Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE, and Commissioner Rod Johnson present not voting.

Attention was called to the following proceedings:

Wednesday, January 18, 2017:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

11:00 Commission Hearing Room, Lincoln
C-4858/ In the Matter for Declaratory Order of Qwest Corporation
DR-0007 d/b/a CenturyLink QC, United Telephone Company of the West
d/b/a CenturyLink and Dex Media, Inc. seeking a
determination that Neb.Admin.Code, Title 291, Chap. 1,
§019.01 et. seq; Title 291, Chap. 5, §002.22A and 010.09;
and Title 291, Chap. 10, §006.07A be clarified or waived
entirely or partially to permit compliance by digitally
published directories, including online, rather than
traditional paper printing and publication. Commissioner
Tim Schram presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-4858/ DR-0007 In the Matter for Declaratory Order of Qwest Corporation d/b/a CenturyLink QC, United Telephone Company of the West d/b/a CenturyLink and Dex Media, Inc., seeking a determination that Neb.Admin.Code, Title 291, Chap. 1, §019.01 et. seq; Title 291, Chap. 5, §002.22A and 010.09; and Title 291, Chap. 10, §006.07A be clarified or waived entirely or partially to permit compliance by digitally published directories, including online, rather than traditional paper printing and publication. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to schedule a hearing on the motion to reconsider for January 18, 2017, at 11:00 a.m. in the Commission Hearing Room. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

C-4881 In the Matter of the Joint Application of Business Telecom, LLC, DeltaCom, LLC, EarthLink Business, LLC and EarthLink Holdings Corp., Atlanta, Georgia, and Windstream Holdings, Inc., Little Rock, Arkansas, seeking approval for a pro forma transfer of direct ownership of Business Telecom, LLC and DeltaCom, LLC: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

C-4880 In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC, Denver, Colorado, seeking approval of a second subloop access at MDUs extension Amendment to the Interconnection Agreement with Cox Nebraska Telcom, L.L.C., Atlanta, Georgia: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an order approving the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Cullen Robbins discussed TRS Late-Filed Carrier Remittances: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, that one-time waivers be issued to Vonage America, Inc. and Vonage Business, Inc. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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

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COMMUNICATIONS DEPARTMENT (Cont.)

Telephone Company	City	Outage Date	Outage Time	Date Reported	Time Reported	Completion Date	Completion Time	Duration Hrs:Min:Sec	Cause of Outage	Number of Access Lines	
CenturyLink	Scottsbluff	12/6/2016	1:57:00 AM	12/6/2016	4:53:00 AM	12/6/2016	4:46:00 AM	2:49:00	Equipment	1014	Technician restored mux shelf
CenturyLink	Scottsbluff	12/6/2016	3:03:00 AM	12/6/2016	11:38:00 AM	12/6/2016	12:49:00 PM	9:46:00	Equipment	455	Links were reset
CenturyLink	Omaha	12/7/2016	9:00:00 AM	12/7/2016	11:11:00 AM	12/7/2016	4:00:00 PM	7:00:00	Cable Cut	104	Human Error - Public
CenturyLink	Elkhorn	12/14/2016	12:12:00 PM	12/14/2016	3:23:00 PM	12/14/2016	6:00:00 PM	5:48:00	Cable Cut	536	Human Error - Public
CenturyLink	Omaha	12/21/2016	9:40:00 AM	12/21/2016	1:57:00 PM	12/21/2016	6:45:00 PM	9:05:00	Fiber Cut	158	
Great Plains	Imperial/Enders	12/26/2016	12:30:00 PM	12/26/2016	2:28:00 PM	12/26/2016	2:00:00 PM	1:30:00	Gopher chewed fibers	40	
CenturyLink	Grand Island	12/28/2016	1:50:00 PM	12/28/2016	2:39:00 PM	12/28/2016	4:00:00 PM	2:10:00	Equipment	1	Tech replaced the NIU to restore service

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-042.10 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Buffalo County: Motion made by Commissioner Mary Ridder, seconded by Commissioner Frank Landis, to enter an order approving funding. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

911-042.13 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Merrick County;

911-042.44 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Boone County; and

911-042.69 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Nance County:

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order approving funding for Dockets 911-042.13, 911-042.44 and 911-042.69. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder and Tim Schram voting AYE, and Commissioner Crystal Rhoades voting NAY.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-060.01 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: Nemaha County; and

911-060.33 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: City of Lincoln: Motion made by

Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order amending funding for Dockets 911-060.01 and 911-060.33. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Sue Vanicek informed the Commission that the next Wireless E-911 Advisory Board Meeting is scheduled for February 13, 2017, at 10:00 a.m. in the Commission Hearing Room, Lincoln.

NUSF-99.01 In the Matter of the Nebraska Public Service Commission, on its own motion, to Administer the Universal Service Fund High-Cost Program: CenturyLink Broadband Grant Requests 2016: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an Order granting motion to withdraw projects from its application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Sue Vanicek discussed the NUSF Late-Filed Carrier Remittances: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to levy late fees against AccessLine Communications Corp, Citizens Telecommunications Co of NE, Enventis Telecom, Inc., Frontier Communications of America, Iowa Network Services, Inc., and North American Telecommunications. Additionally, it is recommended that Complaints be opened against Spiral Solutions and Technologies, Skybeam Acquisition Corporation, Legacy Long Distance International, and Lattice Incorporated. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

NATURAL GAS DEPARTMENT

NG-0078.3 In the Matter of Black Hills Distribution, LLC, d/b/a Black Hills Energy seeking authority to increase the Safety and Integrity Charges and decrease the Pipeline and Safety Charges in its Nebraska Tariff. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter Assessment Orders BE-003 and BE-004. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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NATURAL GAS DEPARTMENT (Cont.)

Scott Coburn reported a total number of 9 consumer complaints and inquiries received at the Commission during December. For each company: Black Hills Energy - 3; Black Hills Distribution - 5; and NorthWestern - 0; and Other Entities - 1.

RULES AND REGULATIONS

Rule and In the Matter of the Nebraska Public Service Commission, on Regulation its own motion, seeking to amend Title 291, Chapter 3, #199 Motor Carrier Rules and Regulations, to amend provisions of the rules: Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter an order granting an extension of comment period. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

TRANSPORTATION DEPARTMENT

B-1918 In the Matter of Dietrick Crittenden d/b/a Quickie Transportation, Omaha, seeking authority to provide transportation of passengers by van between points in Douglas County under contract with the Nebraska Department of Health and Human Services over irregular routes. RESTRICTIONS: the transportation of railroad train crews and their luggage is not authorized. HHS Designation: Yes: Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to enter an order dismissing the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

B-1942 In the Matter of Big A Holdings, LLC d/b/a OMALiNK, Lincoln, seeking to acquire, through transfer, the authority held by Groome Transportation, Inc., Sandston, Virginia, in Certificate B-1854: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the transfer and cancelling certificate B-1854. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

M-14237 In the Matter of the Application of American Eagle Van Lines, Inc., Norfolk, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between points in the State of Nebraska over irregular routes: Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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TRANSPORTATION DEPARTMENT (Cont.)

BR-519/ In the Matter of Meltech, Inc., Lincoln, Nebraska, seeking
B-1943 to establish its rates and charges subject to the
Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3:
Motion made by Commissioner Frank Landis, seconded by Commissioner Rod
Johnson, to enter an order granting the rates on an emergency basis.
Motion passed with Commissioners Rod Johnson, Frank Landis, Mary
Ridder, Crystal Rhoades and Tim Schram voting AYE.

GENERAL ADMINISTRATION

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

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

Ted Burkey	\$	3,668.75
Crystal Rhoades		239.70
Ken Stadler		1,801.60
Tim Schram		582.12

The following invoices were paid between 12/20/16 and
1/9/17 and should be ratified:

State Acct-Central Finance-Network Services	\$	4,416.10
University of Nebraska-Bureau of Business Research		29,882.25
Hewlett Packard		1,251.00
United States Postal Service		670.00
Crystal Rhoades		1,018.98
Tim Schram		514.08
Gerald Vap		253.80

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM:	\$	9,574.56
A.G.N. Sales		
Audiology and Hearing Center		
Beltone		
Harris Communications		
Hearing Aid Center of Columbus		
Sandhills Communications Inc.		
Sherard Hearing Centers		
Talk To Me Technologies, Inc.		
Teltex, Inc.		
Weitbrecht Communications, Inc.		
Western ENT Associates, PC		

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM:	\$	448.11
White's Hearing Aid Specialists		

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to approve the Executive Director's recommendation to authorize Kent Pribyl to travel to and inspect modular housing unit manufacturer Wardcraft Homes Inc. in Clay Center, KS on Wednesday, January 4, 2017. All expenses, including time, will be reimbursed to the Commission by Wardcraft Homes Inc. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve Commissioner Crystal Rhoades to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Winter Committee Meetings to be held in Washington, DC in February, 2017, with all expenses to be paid by the Commission. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve Shana Knutson to travel to and attend the National Association of Regulatory Utility Commissioners (NARUC) Winter Committee Meetings to be held in Washington, DC in February, 2017, with all expenses to be paid by the Commission. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to accept the resignation of Joan Raffety as 911 Coordinator for the Wireless E911 Fund. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Mary Ridder, to approve the Executive Director's recommendation to accept the resignation of Scott Micek as Grain Examiner for the Grain Warehouse & Dealer Department. Motion passed with Commissioners Rod Johnson, Frank Landis, Mary Ridder, Crystal Rhoades and Tim Schram voting AYE.

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The meeting adjourned at 10:40 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Mary Ridder, and Tim Schram present. The next regularly scheduled meeting will be held on January 18, 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 17, 2017.



Chairman



Executive Director